

FINAL ENVIRONMENTAL IMPACT REPORT

Marina del Rey

Oceana Retirement Facility & Holiday Harbor Courts

Marina del Rey Land Use Plan Parcels OT and 21

State Clearinghouse Number 2007021133

Volume II of II



Los Angeles County Project Numbers:

Parcel OT R2006-01510/RCDP200600002/RCUP200600115/RENV200600109/RPA200600109/RPKP200600009
Parcel 21 R2006-02726/RCDP200600003/RCUP200600223/RENV200600177/RPA200600010/RPKP200600015

Lead Agency:
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012
Attn: Michael Tripp

Prepared By:



Envicom Corporation
28328 Agoura Road
Agoura Hills, CA 91301

April 2010

**FINAL
ENVIRONMENTAL IMPACT REPORT
for the
OCEANA RETIREMENT FACILITY AND
HOLIDAY HARBOR COURTS**

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RPA200600109/RPKP200600009

Parcel 21 Project No.

R2006-02726/RCDP200600003/ RCUP200600223/RENV200600177/
RPA200600010/RPKP200600015

Lead Agency:

LOS ANGELES DEPARTMENT OF REGIONAL PLANNING

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DRAFT

**TRAFFIC ANALYSIS FOR THE PROPOSED
114-UNIT CONGREGATE-CARE RETIREMENT FACILITY
AND 5,000 SQUARE FEET RETAIL ON PARCEL OT
AND THE HOLIDAY HARBOR COURTS PROJECT ON PARCEL 21
IN MARINA DEL REY**

Prepared for:

**MDR OCEANA L.P. AND
HOLIDAY-PANAY WAY MARINA, L.P.**

Prepared by:

Crain & Associates
2007 Sawtelle Boulevard, Suite 4
Los Angeles, California 90025
(310) 473-6508



Revised February 2010

Project Parking

Parking for the proposed project will be available on both Parcel OT and Parcel 21.

Parcel OT is proposed to provide a total of 157 spaces, including 116 spaces on an upper ground parking level and 41 spaces on a lower ground parking level. The upper ground parking level will provide 52 spaces for the congregate-care retirement facility. These resident parking spaces would be designated and gated in the structure. The lower ground parking level would provide 20 spaces for the retail use. Table 8(a) shows a summary of the number of parking spaces that would be provided on Parcel OT. In addition to providing parking for the proposed residential and retail uses on Parcel OT, the proposed project would involve the replacement of existing public parking spaces. Parcel OT is currently occupied by a 186-space public parking lot. This public lot will be removed in anticipation of the proposed development on this parcel. The project proposes to replace 85 of the 186 existing parking spaces on Parcel OT. These 85 spaces will be clearly marked with appropriate signage for easy access. The remaining 101 public spaces to be removed will be relocated to Parcel 21, which is located to the south of Parcel OT on Panay Way. Thus, all of the existing 186 spaces will be replaced and located on either of these parcels. It should be noted that while all of the existing 186 spaces may be used for occasional special events, Mothers Beach represents the only regular use for these spaces. The relocation of 101 spaces to Parcel 21 is expected to provide safer and more convenient parking for Mothers Beach as visitors will no longer have to cross two public streets, as is currently the case with the public parking on Parcel OT.

Parking for Parcel 21 will be available in an attached multi-level parking structure located on this parcel. The parking structure will have a total of approximately 447 spaces, including the 101 replacement parking spaces from Parcel OT, as noted previously. Table 8(b) summarizes the amount of parking that will be provided for each project land use on Parcel 21.

Table 8(a)
Project Parking Summary for Parcel OT

Component/Size		Parking Ratio	Spaces Required	Spaces Provided
114 unit	Congregate-Care Retirement Facility	0.45 spaces per unit*	52	52
5 ksf	Retail	4 spaces per ksf	20	20
	Replacement Parking Spaces**		<u>85</u>	<u>85</u>
	Total Spaces to be Provided		157	157

* Parking rate based on parking demand observed at Palm Court, a retirement facility site located in Culver City, that is similar to the proposed congregate-care retirement facility.

**

The existing 186-space public parking lot will be removed in anticipation of the project. Approximately 92 spaces will be replaced on Parcel OT and the remaining 94 spaces will be relocated to Parcel 21.

Table 8(b)
Project Parking Summary for Parcel 21

Component/Size			Parking Ratio	Spaces Required	Spaces Provided
<u>Replacement for Parcel 21</u>					
2,916	sf	Retail	4.0 spaces per ksf	12	12
3,132	sf	Marina Commercial Office	2.5 spaces per ksf	8	8
10,000	sf	Health Club Replacement	*	16	16
				36	36
<u>Replacement from Parcel 20</u>					
5,000	sf	Yacht Club	**	106	106
2,300	sf	Marina Commercial Office	2.5 spaces per ksf	6	6
				112	112
<u>New Uses</u>					
6,000	sf	Marina Commercial Office	2.5 spaces per ksf	15	15
<u>Replacement Boaters Parking</u>					
94	Slips	From Parcel 21	0.75 spaces per boat slip	71	71
149	Slips	From Parcel 20	0.75 spaces per boat slip	112	112
				183	183
Replacement Parking from Parcel OT				101	101
Total				447	447

* The 16 parking spaces that currently serve the existing 16,000 square feet health club will be replaced by 20 spaces for the reduced 10,000 square feet health club.

** The 106 parking spaces will serve as replacement spaces for the existing yacht club.

The parking requirements for both sites of the proposed project are based on the rates from the Los Angeles County parking code, when available, and otherwise from a study of a similar use. For Parcel OT, the project will provide 20 spaces for the retail use, or the code requirement. For the proposed congregate-care retirement facility, this component is unique since it will provide transportation services to residents via limousines that will dramatically reduce the need to own and park a vehicle. As a result, the proposed retirement facility is not expected to operate like a traditional congregate-care retirement facility. Since no rates are set in the parking code for retirement facilities that provide this type of transportation service, the parking rate was based on parking observations at a similar retirement facility site located in Culver City that provides transportation services to residents. The Culver City site has 102 of this type of units. The parking rate for this development was set equal to the maximum rate observed at any time during the study of that site. The maximum observed demand level was 0.45 spaces per unit. Based on the parking rate of 0.45 spaces per unit, the proposed congregate-care retirement facility would require approximately 52 spaces. The project proposes to provide 52 spaces for the retirement facility, which would be at the number of parking spaces conservatively estimated to be demanded. Thus, sufficient parking will also be provided for the congregate-care retirement facility.

The amount of parking required for the Parcel 21 site is summarized in Table 8(b). This table shows that Parcel 21 will require a total of 163 spaces for the proposed uses, 183 spaces for the replacement of boater parking, and 101 replacement spaces from Parcel OT, for a total parking requirement of 447 spaces. As described previously, Parcel 21 will provide a total of approximately 447 on-site parking spaces. Thus, Parcel 21 will provide the code required parking spaces. Therefore, no parking spillover or parking-related impacts are expected.

Development will result in a net total of 97.00 trips in DZ 4. Thus, the combined Dolphin Marina, Parcel 20 Development and Marina Two Development projects would result in a net total of 149.77 trips, and reducing the remaining allowable net PM peak hour trips within DZ 4 to 30.08 trips without the proposed project.

As discussed previously and shown in Table 14(b), the proposed project consists of the replacement of existing on-site uses, the transfer of uses from Parcel 20 (marine commercial office space and yacht club), and the development of additional uses (marine commercial offices). The proposed project would result in a net reduction of 6,000 square feet of health club uses and a net increase of 6,000 square feet of marine commercial office space, and cause a total reduction of 11.04 net PM peak-hour trips within DZ 4. Thus, with the constructed Dolphin Marina and Parcel 20 Development projects, the approved Marina Two Development, and the proposed project, DZ 4 would exhibit a total of 41.12 net remaining allowable Phase II trips.

Table 14(c) shows that the original Phase II development allowances for DZ 6 would allow no net new PM trips. However, as described previously, the proposed project is requesting the transfer of a total of 114 hotel rooms and 5,000 square feet of office space from the Admiralty DZ 7 to the Oxford DZ 6 in order to comply with the LUP trip generation allowances. Therefore, this potential transfer would result in a total trip allowance of 51.292 PM peak hour trips in DZ 6. The proposed project would produce a total of 41.58 net new PM peak hour trips for DZ 6, resulting in a net total of 9.712 trips remaining for other development within the zone. Therefore, the proposed project is compatible with the trip generation limits identified in the Marina del Rey Land Use Plan for DZ 6, assuming the potential transfer of hotel and office development rights from DZ 7 to DZ 6.

Table 14(c)
PM Peak Hour Trips
Development Zone 6

<u>Allowable Phase II Development</u>		
Fire Station Expansion	=	<u>0.00 trips</u>
A. – Total Allowable Trips		0.00 trips
<u>Approved/Constructed Phase II Development</u>		
None		
B. – Total Approved Trips		<u>0.00 trips</u>
C. – Remaining Allowable Phase II Trips (A – B)		0.00 trips
<u>Proposed Development Transfers</u>		
114 Hotel Rooms x 0.353 trips/room (from DZ 7)		40.242 trips
5,000 sq. ft. Office x 2.21 trips/ksf (from DZ 7)		<u>11.05 trips</u>
D. – Total Proposed Allowable Phase II Trips		51.292 trips
<u>Proposed Development (Parcel OT)</u>		
114-unit Retirement Facility x 0.17 trips/unit	=	19.38 trips
5,000 sq. ft. Retail x 4.44 trips/ksf	=	<u>22.20 trips</u>
E. – Net Proposed Project Trips		41.58 trips
Surplus/(Deficit) DZ 6 Allowable Trips (C + (D – E))	=	9.712 trips

Additionally, overall development within the Marina is projected to remain well within acceptable limits. The Marina del Rey Phase II “Buildout” development allowed by the Land Use Plan and the TIP, as summarized in Table 13, produces a total of 2,750 net new PM peak hour trips for the Marina, beyond those trips occurring at the time those documents were certified. The Land Use Plan and its supporting documents were updated and certified most recently in February of 1996. Only three projects have been developed to date under the allowed Phase II development, although several additional developments are pending, approved, or currently being constructed. The developed projects (Dolphin Marina and the Parcel 20 Development within DZ 4, and the Parcel 112 Development within DZ 1) result in an increase of 26.97 PM peak hour trips, an increase of 25.80 PM peak hour trips, and a decrease of 3.87 net PM peak hour trips,

Transcript of the October 21, 2009 Hearing

APPENDIX K

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LOS ANGELES, CALIFORNIA, WEDNESDAY, OCTOBER 21, 2009

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COUNTY REGIONAL PLANNING COMMISSION MEETING

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PUBLIC HEARINGS

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AGENDA ITEMS 10 & 11
Playa del Rey Zoned District

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22 TRANSCRIBED BY: SHAUNE M. STEELE, CET
23 HUNTINGTON TRANSCRIPTION
24 1450 W. COLORADO BOULEVARD
25 PASADENA, CALIFORNIA 91105

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2 REGIONAL PLANNING COMMISSION MEETING

3 Agenda Items 10 and 11

4

5 MR. TRIPP: Good morning Mr. Chair,
6 Members of the Commission. My name is Michael Tripp
7 and I work for the Special Projects Section. Before
8 I begin my presentation of the items on today's
9 agenda, I would first like to explain why these two
10 projects have come to your Commission together and
11 to discuss the approach to the Draft Environmental
12 Impact Report.

13 The proposed projects are a 114-unit,
14 adult, very active accommodations facility on Marina
15 del Rey Parcel OT and a 29,348 square foot

16 commercial facility on Marina del Rey Parcel 21.
17 Part of Parcel OT's proposal is to move 94 of the
18 Local Coastal Program's required public parking
19 spaces from OT to Parcel 21. Early on in the
20 planning stages of these projects, Staff determined
21 that the projects should share a Draft Environmental
22 Impact Report, enable to comply with state CEQA
23 guidelines regarding projects involving a hold the
24 action. This decision was made based on proposed
25 transfer of the 94 public parking spaces from Parcel

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1 OT to Parcel 21.
2 I would also like to mention that four
3 additional letters regarding these projects have
4 been received after Staff submitted the Staff
5 Report, and a copy of these letters was provided to
6 you. If there are no questions I would now like to
7 begin my presentation on Items 10 and 11.

8 COMMISSIONER HELSLEY: Mr. Chairman, a
9 couple of questions to throw you a curve, maybe. We

10 -- we looked at another case that had moved some
11 parking spaces to another facility. We are now
12 looking at moving this group of parking spaces. Do
13 these interface, and how do they interface, and what
14 are the percentages?.

15 MR. TRIPP: I think you're referring to
16 the Parcel FF Project.

17 COMMISSIONER HELSLEY: Right.

18 MR. TRIPP: The difference between this
19 project and that one is that project is proposing to
20 have, an "in lieu of fee", to build the spaces at a
21 later date over by Chase Park. The applicants in
22 this project are actually proposing to construct the
23 spaces themselves across the basin on Marina del Rey
24 Parcel 21. So it's not related to that project.

25 It's true Parcel OT is a public parking

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1 lot right now and we're proposing to keep some of
2 those spaces on site and move 94 of them across the
3 basin to Parcel 21. But the applicant is proposing

4 to construct those before the construction of Parcel
5 OT development.

6 COMMISSIONER HELSLEY: Okay. Thank you.

7 CHAIRMAN BELLAMY: Yes, sir.

8 MR. TRIPP: Item No. 10 is Project
9 R2006-01510. The applicant, MDR Oceana LLC, is
10 requesting the following:

11 A Plan Amendment to authorize the creation
12 of a new land use category called Active Senior
13 Accommodations within the Marina del Rey Local
14 Coastal Program and to redesignate parcel OT, the
15 subject property, from parking to Active Senior
16 Accommodations with a mixed-use overlay zone. This
17 new land use category will be a hybrid of the
18 Multi-family Residential Five and Hotel categories .

19 Facilities within this proposed category
20 will provide accommodations to active seniors
21 similar to those found in a residential facility,
22 but the units will not have individual kitchens.
23 Services will be provided to the residents similar
24 to a hotel use, but the focus of the facility will
25 not be on short-term stay.

1 Amendments to the Local Coastal Program
2 are also being proposed to transfer the development
3 potential of 114 hotel units from Development Zone 7
4 and 5,000 square feet of retail space from
5 Development Zone Number 5 into the subject
6 Development Zone Number 6.

7 To transfer 94 of the LCP required 186
8 public parking spaces on Parcel OT to Parcel 21 and
9 to adjust the parcel land use boundaries between
10 Parcel OT and its adjoining Parcel P and the LCP and
11 their corresponding maps.

12 A Coastal Development Permit is being
13 requested to authorize the demolition of all
14 existing land-side improvements and the construction
15 of a new 114-unit senior accommodations facility
16 with 5,000 square feet of retail uses and a parking
17 garage. A Conditional Use Permit is also being
18 requested to authorize retail uses on a parcel with
19 a proposed mixed-use overlay zone.

20 Lastly, a parking permit is being

21 requested to authorize the transfer of 94 LCP
22 required public parking spaces from Parcel OT to an
23 off-site location in Marina del Rey, which is Parcel
24 21.

25 The subject property is currently a public

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1 parking lot located near the northeast intersection
2 of Palawan Way and Admiralty Way in the
3 unincorporated community of Marina del Rey. The
4 property has a frontage on both Washington Boulevard
5 and Admiralty Way, and access is gained via an
6 alley, which connects to both Washington Boulevard
7 and Admiralty Way.

8 To the north of the property are
9 multi-family residential and single-family
10 residential properties in the community of Marina,
11 in the city of Los Angeles. To the east of the
12 property is the Oxford Retention Basin. To the
13 south of the property are commercial uses and
14 condominiums, and to the west of the property are

15 commercial uses and multi-family residential uses.

16 What you see in the center here is the
17 proposed first floor of the site plan. The site
18 plan depicts the proposed land-side improvements,
19 which consists of 114-unit senior accommodations
20 facility -- a proposed building that's comprised of
21 six levels with the first level containing 41
22 parking spaces and on Washington Boulevard, 5,000
23 square feet of retail use.

24 Eric, can you go to the next slide?

25 This is the proposed second level which

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1 contains 116 parking spaces and the senior
2 accommodations facilities lobby. The top four
3 floors -- Eric, can you go to the next slide --
4 contain the Senior Accommodations Facility. If I
5 could draw your attention to this slide right here.
6 This depicts some of the proposed uses that the
7 Senior Accommodations Facility would have. There
8 are such things as a card room, a theater, arts and

9 crafts room, there's a Jacuzzi, there's a cafe,
10 there's a common eating area -- it's things of that
11 nature that they're proposing for this facility.

12 And the next four levels -- Eric, if you
13 could turn the slide -- they're more of just the
14 units, along with the laundry facilities for the
15 seniors. The structure has a maximum height of
16 65 feet above grade on the frontage of Washington
17 Boulevard and 60 feet in height on the Admiralty Way
18 side, which you can see depicted in this slide right
19 here.

20 We have received a letter in opposition,
21 which states that the proposed use is inconsistent
22 with buildings along Washington Boulevard and the
23 general area. The Staff did a windshield survey of
24 the area and on the Washington Boulevard side, in
25 the general vicinity, this is taller than buildings

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1 in the area. If you go further west on Washington
2 Boulevard toward the beach, there are buildings of

3 this height. And on Admiralty Way there are
4 buildings of this height or taller.

5 The project was determined to have
6 potential significant impacts to the environment and
7 the Draft Environmental Impact Report was prepared
8 in accordance with the procedures and guidelines of
9 the California Environmental Quality Act. The Draft
10 EIR determined that potential noise impacts for the
11 balconies facing Washington Boulevard and Admiralty
12 Way cannot be reduced to levels of insignificance
13 due to the implementation of mitigation measures.

14 The draft EIR also found that when the
15 project is (inaudible) with other projects in the
16 area, significant and unavoidable impacts relate to
17 visual quality, and traffic would occur. Staff has
18 determined that the burdens of proof of the Plan
19 Amendment, Coastal Development Permit, Conditional
20 Use Permit, and parking permit have been met and the
21 proposed uses are consistent with the Local Coastal
22 Plan.

23 Staff recommends that the public hearing
24 be continued to a date certain and that Staff be
25 instructed to prepare a final Impact Report, a

1 resolution recommending an approval of the Proposed
2 Plan Amendment to the Board of Supervisors, and
3 prepare findings and conditions of approval for the
4 Coastal Development Permit, Conditional Use Permit
5 and parking permit.

6 This concludes the presentation for Agenda
7 Item 10, and Staff is available for any questions
8 you may have.

9 CHAIRMAN BELLAMY: Questions on Agenda
10 Item No 10?

11 COMMISSIONER REW: Yes. Mr. Chairman,
12 just this morning we received a letter from the Del
13 Rey Colony Homeowners Association. Would you point
14 out where that is in relationship?.

15 MR. TRIPP: They're located in white above
16 you. If you see that triangle that is directly
17 northwest of the project, that is the Del Rey
18 Homeowners Association lagoon. And so if you look
19 on there, approximately three of their parcels would

20 be directly impacted by a view of the structure.

21 COMMISSIONER REW: On the south side of

22 Washington?

23 MR. TRIPP: No, it's -- I'm sorry. It's

24 on the northwest side of Washington Boulevard. It's

25 the white parcels up there. Let me grab -- I'm

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1 having a little trouble making out the laser pointer

2 myself. But if you see the darkened square,

3 directly northwest of that is where that homeowners

4 association is.

5 COMMISSIONER REW: Where that triangle is?

6 MR. TRIPP: Right.

7 COMMISSIONER REW: Where Harbor Street

8 and --

9 MR. TRIPP: Yeah. If you see -- do you

10 see it looks like Wilson Avenue there?

11 COMMISSIONER REW: Right.

12 MR. TRIPP: If you go just west of Wilson

13 Avenue, that -- that is the homeowners association.

14 COMMISSIONER REW: Thank you.

15 COMMISSIONER HELSLEY: Mr. Chairman, in
16 relation to the -- there are circular buildings that
17 are not right across Admiralty Way, but I think
18 they're across and down just a little bit. How tall
19 are those buildings?

20 MR. TRIPP: They are approximately 165
21 feet tall. We did have that mentioned in the EIR.
22 I don't know it off the top of my head, but the
23 applicant could quickly refer to the page in the
24 EIR. I believe they're between 165 and 175 feet
25 tall.

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1 COMMISSIONER HELSLEY: So in comparison --
2 height comparison to those, this is half?

3 MR. TRIPP: Right. This is much smaller
4 than those.

5 CHAIRMAN BELLAMY: Any further questions?

6 COMMISSIONER VALADEZ: Just one. How is
7 this change in use proposed -- this new category for

8 senior retirement in the Local Coastal Plan? Is
9 this -- was this the result of an RFQ -- an RFP?
10 How was this -- how did this come about?

11 MR. TRIPP: It resulted from Staff's
12 review of their proposal. Originally they wanted to
13 change the land use category to hotel. Staff didn't
14 feel that the hotel land use category could
15 adequately serve what they're doing there because
16 they want the residents to stay more long term.

17 It is similar to a hotel in that the
18 majority of the price that you pay for a unit here
19 is going to be based on services. However, it's not
20 -- it's not a hotel just because we're going to let
21 them stay longer than 30 days as it is proposed.

22 And as I stated earlier, we couldn't just
23 call it a Residential Five use, because the
24 individual units aren't going to have kitchens.
25 There's going to be a central kitchen which serves

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2 COMMISSIONER VALADEZ: It's more akin to
3 an assisted living facility.

4 MR. TRIPP: It -- it is similar to that,
5 yes. These are supposed to be active seniors
6 though. The applicant isn't proposing to provide
7 medical care to them.

8 COMMISSIONER VALADEZ: Oh. With respect
9 to Staff -- Staff received a proposal, Staff
10 reviewed a proposal. Who is Staff? Is it Beaches
11 and Harbor staff? Is it the Planning staff?

12 MR. TRIPP: I'm sorry. I meant Regional
13 Planning staff. We -- we received -- we received a
14 proposal to change this land use category to hotel,
15 and the applicant was referring to it as a senior
16 hotel. Staff just didn't feel that it -- didn't fit
17 in the Hotel/Land Use Category.

18 COMMISSIONER VALADEZ: Is there some role
19 that Beaches and Harbor is -- is involved in here?
20 Or is Staff -- is this just as if we were looking at
21 a development that's being proposed to us and it's
22 just totally for entitlements -- Beaches and Harbors
23 has not been involved at all. And somehow, it will
24 go back to Beaches and Harbor. Because it's gone

25 through the Design Control Board.

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1 MR. TRIPP: Right.

2 COMMISSIONER VALADEZ: So there's
3 somebody -- there's someone else that's involved in
4 this process, and I'm assuming it's Beaches and
5 Harbors.

6 MR. TRIPP: Beaches and Harbors is a
7 co-applicant on this process.

8 COMMISSIONER VALADEZ: Right, and so --

9 MR. TRIPP: While --

10 COMMISSIONER VALADEZ: We're into beaches
11 and I'm just, just bear with me. I just want to see
12 the history of this. It went -- there was a
13 proposal at some point to Beaches and Harbor --

14 MR. TRIPP: Correct.

15 COMMISSIONER VALADEZ: -- to review and to
16 -- to co-develop --

17 MR. TRIPP: Yes, yes.

18 COMMISSIONER VALADEZ: -- as the lessee

19 and then to the -- so it originally went to Beach
20 and Harbors. And you're saying that this was like a
21 third party who -- who arrived with an idea to
22 Beaches and Harbors. So it wasn't the result of an
23 RFQ. It wasn't the result of any planning that was
24 done on the behalf of Beaches and Harbor, who felt
25 that senior living was required on the -- in the

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1 Marina.

2 MR. TRIPP: Let me -- let me be clear,
3 please. This was the result of an RFQ.

4 COMMISSIONER VALADEZ: Okay, that's what I
5 asked.

6 MR. TRIPP: Right. Yes, and --

7 COMMISSIONER VALADEZ: And you indicated
8 that no, it was because it came to Staff.

9 MR. TRIPP: I'm not talking about the land
10 use category.

11 COMMISSIONER VALADEZ: No. But I asked
12 how -- yes -- yes exactly, the land use category.

13 But the actual change in use -- how was this change
14 in use proposed?

15 MR. TRIPP: I -- I understand.

16 COMMISSIONER VALADEZ: That's where I
17 started. So in fact, it is a result of an RFQ or an
18 RFP that came in.

19 MR. TRIPP: Yes, it is.

20 COMMISSIONER VALADEZ: Okay. Thank you.

21 Thank you very much.

22 MR. TRIPP: Right.

23 CHAIRMAN BELLAMY: Anything further?

24 COMMISSIONER REW: Yes. Mr. Tripp, the
25 applicant wanted -- initially wanted to call it a

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1 senior hotel?

2 MR. TRIPP: That's correct. That is what
3 the RFQ was for.

4 COMMISSIONER REW: Are these units
5 furnished?

6 MR. TRIPP: To my understanding, they're

7 not furnished units.

8 COMMISSIONER REW: They're not furnished?

9 MR. TRIPP: Correct.

10 COMMISSIONER REW: They're not like a
11 hotel then -- as far as furniture.

12 MR. TRIPP: Right. They're not furnished
13 the way a hotel is furnished. I'm referring more to
14 the services that a hotel provides. Concierge
15 service, dining. You know, you can make -- order
16 room service, things of that nature.

17 COMMISSIONER REW: And the fact that they
18 wish the residents to stay more than 30 days.

19 MR. TRIPP: Right.

20 COMMISSIONER REW: Is that correct?

21 MR. TRIPP: Yes.

22 COMMISSIONER REW: Is -- is it a lease
23 then? Is there a rental lease?

24 MR. TRIPP: I would like to refer that to
25 the -- the applicant when they get a chance. In our

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1 review of it, we didn't review how long the lease
2 stays with (inaudible).

3 COMMISSIONER REW: Thank you.

4 CHAIRMAN BELLAMY: Thank you, very much.

5 We have speaker cards? Are you going to present the
6 next one?

7 MR. TRIPP: Yes.

8 CHAIRMAN BELLAMY: Go ahead.

9 MR. TRIPP: I prefer to do that first --
10 Item Number 11.

11 Item Number 11 is Project R2006-02726.

12 The applicant, Holiday-Panay Way LP, is requesting
13 the following:

14 A Plan Amendment to authorize the
15 reconfiguration of the parcel boundary line between
16 Marina del Rey Parcel 21 and Parcel GR to transfer
17 31,050 square feet on the westerly portion of Parcel
18 21 to the public parking lot located on Parcel GR.

19 In the Marina del Rey Land Use Plan,
20 Parcel 21 is currently designated as marine
21 commercial, and Parcel GR is designated as parking.
22 This request will allow the expansion of the public
23 parking lot, Parcel GR.

24 A Coastal Development Permit is being
25 requested to authorize the demolition and removal of

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1 all land-side improvements and the construction of a
2 29,348 square foot commercial building, with a 447
3 space six-level parking structure.

4 A public plaza and 28-foot wide pedestrian
5 promenade is also being proposed. A Conditional Use
6 Permit is being proposed to authorize a parking
7 structure, a yacht club, 29,016 square feet of
8 visitor-serving convenience commercial uses, a
9 health club, and offices for boating and related
10 activities on a parcel with a marine commercial
11 landings category in a water front overlay zone.

12 Lastly, a parking permit to authorize the
13 transfer of the 94 LCT-required public parking
14 spaces from Parcel OT to an off-site location in
15 Marina del Rey. Specifically, this Parcel 21 is
16 being requested. The subject property is 2.55 acres
17 in site and is currently improved with two

18 commercial buildings that are two stories in height
19 and contain a 16,000 square foot health club, 2,916
20 square feet of retail space, and 3,312 square feet
21 of marine commercial uses.

22 The site is also developed with two
23 boater-serving buildings that are one story in
24 height and a paved at-rate parking area with 192
25 parking spaces. Access to the property is gained

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1 via a 26-foot wide driveway and an 18-foot wide
2 driveway off of Panay Way, which is a private street
3 which connects to Via Marina.

4 To the north of the property are Marina
5 del Ray Basin D, Marina Beach, a boat storage area,
6 and an apartment complex. To the east of the
7 property are more apartment complexes. To the south
8 of the property is an apartment complex and Marina
9 del Rey Basin C. And to the west of the property is
10 Public Parking Lot GR and a restaurant.

11 The site plan depicts the proposed land-

12 side improvements, which consist of a 29,348 square
13 foot commercial center on the western side of the
14 parcel and a six-level parking structure containing
15 447 spaces, located on the eastern portion of the
16 parcel, and the 28-foot wide pedestrian promenade.

17 The two structures are connected by a ramp
18 on the third level, which is dedicated to parking.
19 The proposed structures have a maximum height of 56-
20 feet above grade, while the facade will extend to a
21 maximum height of 59 feet.

22 Eric, can you advance the slide -- one
23 more?

24 This is the elevation drawing, which
25 depicts the proposed height of the two structures.

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1 The proposed commercial building is comprised of
2 four levels with the first two levels containing the
3 health club, retail and marine commercial uses, a
4 third floor dedicated to parking with 49 spaces, and
5 the fourth floor containing the yacht club.

6 The first floor of the commercial building
7 also depicts the proposed boater restrooms and
8 showers, which the applicant will provide the
9 replacement uses. This project was determined to
10 have significant impacts to the environment, and a
11 Draft Environmental Impact Report was prepared in
12 accordance with the procedures and guidelines of the
13 California Environmental Quality Act.

14 The Draft EIR determined that potential
15 visual quality impacts cannot be reduced to levels
16 of insignificance through the implementation of
17 mitigation measures, either at the project level or
18 when viewed cumulatively.

19 The Draft EIR also found that when the
20 project is viewed cumulatively with other projects
21 in the area, significant and unavoidable impacts to
22 traffic would occur. Staff has determined that the
23 burdens of proof for the Plan Amendment, Coastal
24 Development Permit, Conditional Use Permit, and
25 parking permit have been met and proposed uses are

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1 consistent with the Local Coastal Plan.

2 Staff recommends that the public hearing
3 be continued to a date certain and that Staff be
4 instructed to prepare a final Impact Report, a
5 resolution recommending approval for the proposed
6 Plan Amendment to the Board of Supervisors, and to
7 prepare findings and conditions of approval for the
8 Coastal Development Permit, Conditional Use Permit,
9 and parking permit.

10 This concludes the presentation of Agenda
11 Item 11. Staff is now available for any questions
12 the Commission may have.

13 CHAIRMAN BELLAMY: Questions of Staff?

14 Thank you.

15 MR. ALEXANIAN: Mr. Chairman, we have a
16 total of 21 speaker cards. I'd like to call on the
17 applicant and the team. Sherm Gardner?

18 MR. GARDNER: Good morning,
19 Commissioners, Staff. My name is Sherman Gardner.
20 I'm a partner with Goldrich & Kest Industries. We
21 are happy to finally be here. It's been a long,
22 long process. First, I want to indicate that we

23 concur with the Staff findings and we agree to the
24 Staff recommendations.

25 Just by way of introduction, in 1965, we

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1 built the first development. And subsequent to
2 that, we built three other developments in Marina
3 del Rey. The Parcel 21 that we are talking about
4 today is a lease that we purchased. We did not
5 initially build it. We purchased it in 1999. We --
6 it's 30-plus years old, needs help, has slips and
7 we're trying to bring it into the 21st Century, if
8 you will.

9 In regard to OT, I think that we have
10 proposed something that is creative and innovative
11 and unique to Marina del Rey. Most communities
12 today are dealing and caring for the elderly
13 population, and it's -- it's something that we've
14 been doing for a number of years, and we wanted to
15 bring this kind of a facility to Marina del Rey.

16 Just -- just as an aside, this type of

17 facility -- 80 percent of this facility are
18 services. The other 20 percent is real estate.
19 We -- we have a presentation. Frank Hickman, who is
20 our Director of Development has a ten minute
21 presentation to depict our -- our developments. So
22 I would like you to see that presentation, please.

23 MS. CULBERTSON: Thank you Mr. Chairman,
24 Members of the Commission. Andy Culbertson, a
25 consultant to the Department of Beaches and Harbors.

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1 I just wanted to satisfy some of the Commission's
2 curiosity about the land use category. We often
3 create as planners new land use categories to
4 respond to changing market circumstances and
5 changing ways people live.

6 This is not an assisted living facility.
7 It's -- it's really not a hotel. It is the type of
8 facility that a person would want to live in where
9 they want to live in a beautiful area and be -- have
10 the conveniences at hand and not really the

11 responsibility of a home or an apartment. It's a
12 collegial atmosphere.

13 I want to point out that the Department
14 had a number of advantages in pursuing this. We
15 obtained over 31,000 square feet out of a lease on
16 Parcel 21 in order to expand public parking at
17 Mother's Beach. In addition, this project allows us
18 to deliver spaces -- 94 of them -- from the current
19 Parcel OT parking lot to the new structure in Parcel
20 21, which is closer and more convenient to Mother's
21 Beach, which is a major attracter.

22 So we looked at this as a -- and finally
23 it's not between the Perse Public Road and the
24 water, so it allows a very advantageous project to
25 go in that's pretty unique but pretty cutting edge

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1 in terms of how seniors live now and some seniors
2 like to live.

3 So I'm here to answer any of the
4 Commission's questions on the land use category.

5 CHAIRMAN BELLAMY: Any questions? Thank
6 you.

7 MR. ALEXANIAN: I do, Mr. Chairman. Can I
8 just clarify something?

9 CHAIRMAN BELLAMY: Yes.

10 MR. ALEXANIAN: I've indicated that there
11 are 21 speaker cards. However, I should clarify
12 that some of the speakers on Item 10 have also
13 filled out cards for Item 11, so combined speaker
14 cards for both items would be 21.

15 I believe there are several other
16 testifiers representing the applicant that should
17 speak at this time.

18 MR. HICKMAN: Good morning, Mr. Chair and
19 Commissioners. My name is Frank Hickman, and I'm
20 with Goldrich & Kest. What I'd like to do is just
21 kind of run through more of a simple, quick graphic
22 presentation so you get the feel of what is really
23 happening with these projects as far as locations.

24 As you can see from this graphic in the
25 yellow box, Parcel OT up on the northwest corner --

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1 that's OT. And then down in the southern portion on
2 Panay Way -- that is Parcel 21. Both of those are
3 in consideration and the related uses to those.

4 This chart here shows you the existing
5 uses right now on Parcel OT. There's 186 public
6 parking spaces, and on Parcel 21, as we said,
7 there's about 29,000 square feet of commercial uses
8 on there right now, including a gym, small
9 commercial uses. And then down a little bit is the
10 existing yacht club on Parcel No. 20. This quote is
11 from the Land Use Plan:

12 "Lot OT is fully used only during
13 peak-hour events. Alternative peripheral parking
14 lots could be used on these occasions to compensate
15 for the loss of this lot."

16 That's quoted in the Marina del Rey Land
17 Use Plan, Page 2.5, certified by the Coastal
18 Commission in February 1996.

19 As Michael pointed out, rather than
20 eliminate any of these parking spaces, we are
21 maintaining 92 on Parcel OT, and we propose to

22 transfer 94 of those parking spaces to Parcel 21.
23 You can see by this graphic that those 94 spaces are
24 much more convenient to Mother's Beach, to the
25 public facilities in the area, and those wanting

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1 public parking don't have to cross Admiralty, which
2 is a very busy intersection.

3 We feel that's a real benefit of
4 transferring those spaces over to this Parcel 21,
5 which is much more convenient to beach parking, the
6 restaurants in the area, and the other activities on
7 the beach.

8 This is a graphic rendering of Parcel OT,
9 the retirement facility looked at from Admiralty
10 Road. The way that we are planning this project is
11 that we will at least achieve a Silver Leaf
12 certification. We're trying to get Gold. I can't
13 promise that today because there's some things that
14 we need to do, but I can promise that we'll receive
15 at least a Silver Leaf certification. And to the

16 best of my knowledge, that would be the first project
17 in Marina del Rey that has that certification.

18 This is Parcel OT the way it exists right
19 now. You see the parking lot. What we propose to
20 do is incorporate Parcel T, which is at the
21 (inaudible) north portion of that, which is about
22 19,755 square feet. And that combination really is
23 part of the existing parking lot and then goes down
24 to the existing fence right now to where the lagoon
25 is. The 19,000 square feet is an important number

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1 to remember.

2 This graphic shows the access to the
3 parking right now. Parking is off of Washington
4 Boulevard and Admiralty. I(inaudible)that site OT.
5 So what we're going to do in addition to provide the
6 public parking on that side, we'll also be replacing
7 all of the frontage on Washington Boulevard --
8 replacing all the damage -- sidewalks, which is
9 which -- there's extensive damage and variations in

10 trees and things there that will be taken care of
11 during the development of this project and replaced.

12 One of the other requirements that we have
13 and glad to provide is to provide a pedestrian
14 connection from Washington Boulevard to Admiralty
15 that currently does not exist. This graphic also
16 shows the front portion of the project off of
17 Admiralty. That's the porte cochere, that's just
18 drop-off parking, and then you come back up on
19 Admiralty or from Washington. You enter the project
20 off of that alleyway there. The public parking
21 spaces, the 92 public parking there are -- will be
22 designated by signage and separated from the parking
23 for the facility itself.

24 This shows the garage for -- there's a
25 variation from Admiralty Boulevard to Washington

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1 Boulevard of about ten feet. So you have a partial
2 subterranean parking structure over there on
3 Washington, where we have the retail parking of 20

4 cars and approximately 5,000 square feet of retail
5 on Washington Boulevard.

6 That will bring neighborhood-serving
7 retail like a coffee shop, cigar stores, those types
8 of things.

9 This shows the typical floor. I think
10 Michael's already shown that so we can skip through
11 that. Proposed landscaping -- we will be working
12 with the County on the exact landscaping of that
13 pedestrian parkway to let it -- enhances what is
14 there and mixes with what is proposed there when
15 this lagoon is -- is renewed in the future.

16 This shows the elevation on Parcel OT. As
17 you can see, the permitted height right now is 140
18 feet. We're keeping that at 68 feet and then --
19 look, that 68 feet is really at the top of the
20 mechanical equipment room. And then the 56 feet on
21 Admiralty Boulevard.

22 As we described, this is a senior facility
23 -- it's an active senior facility. We do not take
24 anybody that's not ambulatory. We will not dispense
25 any medication there. We have -- we propose leases

1 with the tenants. We have all these facilities in
2 Culver City. And it's not a licensed facility. We
3 look for year -- year leases.

4 Like it was mentioned before, there are no
5 kitchens in any -- any of the rooms. There's a
6 little refrigerator and a microwave. But there is
7 upscale dining and then all the other activities
8 that Michael went through. We will have automobiles
9 to take the guest wherever they want to go -- take
10 them to the doctors, take them to the stores, take
11 them shopping. And that's provided as part of the
12 services that Sherman was mentioning -- and part of
13 the reason that the service cost is so high in this
14 facility.

15 This is the facility on Parcel 21. This
16 is a -- a waterside view -- a rendering, so you can
17 kind of have an idea of what we're trying to achieve
18 there.

19 This parcel in yellow here -- that's the
20 dedication -- back to Regional Planning, the 31,000

21 square feet, which we are eliminating from our
22 leasehold and then dedicating back to Beaches and
23 Harbor for proposed Master Plan of Mother's Beach.
24 Parcel 21 then, leaves us with approximately 81,450
25 square feet.

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1 You'll notice right next to the
2 dedication, the view corridor, which we're calling a
3 community park -- that's approximately 13,000 square
4 feet. It is a view corridor, but instead of using
5 that for parking or any other type of storage, we
6 are making that into a park. It'll be a community
7 park maintained by -- by us throughout the balance
8 of the lease. It'll be a place where people can
9 gather, have lunches, relax. It'll be very nicely
10 landscaped with -- we'll have some benches and other
11 things.

12 And then the -- the promenade on the back
13 side next to the bulkhead there, that will be
14 completed by us. And it's really a continuation of

15 the parcels. Next to that and then all the way
16 around the water -- those projects have been
17 developed over the last several years, and the
18 promenade and the materials of the promenade will
19 match what is already existing and then flow down
20 into the completion of this project.

21 This just indicates, you know, some of the
22 floor plans, which I don't know that we really need
23 to get into right now, so -- Again, the landscape
24 plan, the park, the promenade -- these are the types
25 of materials that are in existing promenades and the

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1 adjacent parcels to us, so this promenade next to
2 the water is just a completion of that. This shows
3 some of the materials that have -- have been used in
4 the past, and this will complete the theme of that
5 promenade as we go through and complete this Project
6 21. And this is a land-side rendering of the
7 project.

8 Thank you very much. Questions? I'll be

9 glad to try and answer them.

10 CHAIRMAN BELLAMY: Any questions?

11 COMMISSIONER HELSLEY: Mr. Chairman, if
12 you can go back about five slides on the slide
13 presentation. That one's fine. That one's fine. It
14 appears on this that something that I'm not supposed
15 to see has been marked out up there at the top, in
16 this corner. Can you tell me what -- what it was
17 that was overlayed or erased?

18 MR. HICKMAN: No. That's -- that's the
19 bay area of the Mother's Beach.

20 COMMISSIONER HELSLEY: Why shouldn't I
21 know that Mother's Beach is there?

22 MR. HICKMAN: No reason, sir. No reason.
23 It's just the way that the drawing laid out. I
24 think we do show it on some other slides. Mothers
25 Beach? Well, actually, yeah, right there.

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1 COMMISSIONER HELSLEY: That's what I
2 thought.

3 MR. HICKMAN: If you know the area, that's
4 -- that's Mother's Beach right there, and then, you
5 know, right to the -- yeah, right there. There's
6 the Cheesecake Factory Restaurant, which is -- which
7 is right above that beach. And then, that's --
8 that's the public parking right next to Parcel 21.

9 COMMISSIONER HELSLEY: As -- if we can go
10 back to that same slide. Okay. That's -- that's
11 very light up here. I'd like to see the one with
12 Mother's Beach on it still. You can go back to the
13 slide where it showed Mother's Beach and it showed
14 your -- your OT lot.

15 MR. HICKMAN: The second -- the second --
16 That's fine. That's fine. Right there.

17 COMMISSIONER HELSLEY: As I take a look at
18 this, there is a -- a walkway that's a designated
19 walkway coming across in this area, as I recall.

20 MR. HICKMAN There is, yes.

21 COMMISSIONER HELSLEY: This area. I guess
22 my problem is, this -- this walkway from -- from
23 here to here is very obscure in that it doesn't look
24 like it's a public walkway. It -- as I look at
25 plans and that sort of thing. It looks like it's a

1 small walkway and then it's segmented off to the
2 side, as I recall, rather than being one, like a
3 promenade, or entice the general public. You
4 indicated it would be a public way to get from --
5 from Washington Boulevard to Admiralty Way.

6 MR. HICKMAN: Uh-huh.

7 COMMISSIONER HELSLEY: And -- and what I
8 currently see on the Plan certainly does not look
9 like that -- inviting the public to go on it.

10 MR. HICKMAN: Well, I don't know what to
11 say about that other than it will be designed in
12 conjunction with Public Works -- that they have
13 plans for Oxford Basin to have some viewing stands
14 down that area where that proposed pedestrian path
15 is planned.

16 So they will come off of that pedestrian
17 pathway and then go out into the Oxford Basin a
18 little bit where they'll have some viewing stands on
19 it. So that -- that pedestrian pathway will then

20 work in connection with those viewing stands for the
21 public. So you're not -- you're not just going to
22 be walking down that from Admiralty to Washington.
23 You'll have the opportunity to -- once the Oxford
24 Basin is cleaned up -- is to go into those viewing
25 stands to look at what's going on there with the

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1 birds and the ecology and everything else.

2 So it'll -- it'll be designed and -- and
3 fully recognized that it is a public walkway and be
4 recognized as such.

5 COMMISSIONER HELSLEY: Are you going to
6 try to screen off the lagoon, or is the lagoon going
7 to become a part of that -- that walkway area?

8 MR. HICKMAN: Yes, uh-hu.

9 COMMISSIONER HELSLEY: Visually.

10 MR. HICKMAN: Yes. Right.

11 MR. TRIPP: (inaudible/off mike) -- Oxford
12 Basin. And they do -- they are proposing a fence to
13 go around the lagoon. And we're directing the

14 applicant to work with Public Works to make sure
15 that whatever they're proposing is consistent with
16 the proposed park that's going to be built around
17 the lagoon.

18 COMMISSIONER HELSLEY: Okay. That -- that
19 -- because -- while we're doing this, if we can get
20 those to kind of join in appearance and -- and
21 (inaudible) kind of thing, rather than being
22 isolated. If you go back to the Plan that you
23 showed for the OT Lot. That -- that, no -- right
24 there.

25 MR. HICKMAN: Right there.

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1 COMMISSIONER HELSLEY: That -- that plan
2 there, we'll see the -- the walkway that is shown on
3 the Plan is a very narrow walkway coming up there.
4 Then it's kind of cut off, and it's set off to the
5 side and coming up this way, if I remember the Plan
6 position.

7 MR. HICKMAN: There you go.

8 MR. TRIPP: Public Works sent us a letter
9 after the package was sent to you. And basically,
10 what their letter said was that they didn't support
11 the bike path that the applicant was proposing to go
12 across here. And they stated that they had their
13 own plan for this area, and they wanted the
14 applicant to incorporate their ideas into that.

15 COMMISSIONER HELSLEY: Okay. I didn't --
16 have not seen such.

17 I -- I commend you on the aspect of -- of
18 commercial on the bottom and parking and then the
19 residents on the top. I think that -- I like that
20 idea. I have a concern also on the aspect of -- of
21 the other parcel along the frontage of -- you had
22 benches there but I didn't see anything or hear
23 anything about drinking fountains. OH, and -- and,
24 yes. And shade. I saw the trees on the -- on the
25 -- whatever you call it -- Basin side. But I didn't

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1 see shade for -- for stopping at a bench and being

2 able to have water for a child, as you walk down
3 that -- that walkway.

4 MR. HICKMAN: (Looking for slide.) 21.
5 That one.

6 COMMISSIONER HELSLEY: It's not up there.
7 On the -- on the promenade, the aspect of benches
8 periodically and a drinking fountain -- or water,
9 public water available. Thank you.

10 CHAIRMAN BELLAMY: Thank you. Do you
11 have?

12 COMMISSIONER VALADEZ: How is the parking?
13 Exactly -- if you could just explain the segregation
14 on the assisted -- on the residential adults or
15 senior residents? How are you segregating the
16 public, retail, and residential parking? What kind
17 of segregation are you providing? Are you just
18 providing actual floor by floor segregation? Are
19 you segregating on each level? And then, how are
20 you providing the security for -- especially for the
21 residents -- for the residential use.

22 MR. HICKMAN: First of all, on the retail
23 parking that'll all be coming off of Washington
24 Boulevard. That's -- that's a separate subterranean

25 structure -- a partial subterranean structure.

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1 That's -- so that's the 180 retail parking spaces
2 right there.

3 Then when you go up, in here, entry for
4 both the public and the residents will enter at that
5 one location where the arrow is. The residents will
6 go straight. It's gated parking, you know, with
7 signage designated that that's resident parking
8 only. The residents will have a key pod or some
9 other type of thing to get in there.

10 And then, as you go in there, you will
11 turn left. It'll be designated public parking. And
12 that will have another gate, you know, and security
13 measures for the public parking in there. So it'll
14 be an automated, you know, parking equipment and
15 signage to get the public into that facility.

16 COMMISSIONER VALADEZ: How are you
17 segregating your stairwells?

18 MR. HICKMAN: Well, the stairwells right

19 here, you want -- Monica? I'll bring the architect
20 up. We should talk about that a little bit.

21 COMMISSIONER VALADEZ: That's one of the
22 biggest issues, generally, when we're looking at
23 segregation of residential, public parking, and
24 retail parking -- is that we usually have these
25 emergency access points, which are common.

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1 MS. MOSES: My name is Monica Moses. I'm
2 a principal with GMP Architects. The access on the
3 stairs are completely segregated. The public
4 parking is going to have the stairs exiting on this
5 side directly to Washington. And on the lagoon
6 side, it has its own access. There's a walkway with
7 a ramp that exits directly to the lagoon and to the
8 -- the public connection that Frank was describing
9 between Admiralty and Washington. So there's no-
10 cross-walking stairways, exits, between residents,
11 public parking, or commercial parking.

12 COMMISSIONER VALADEZ: I'd like to see

13 that. I'd like to be able to understand it
14 (inaudible). What we have is not very helpful in
15 terms of that.

16 MS. MOSES: We have it in the slide. I
17 think that the reflection because of the light it's
18 hard to see. But the -- the slide that we are
19 looking on the computer is clearly marked with
20 different colors, and we have drawings.

21 COMMISSIONER VALADEZ: Okay. Great.
22 Maybe Staff can get me something that's -- that
23 actually depicts exactly how your exiting works in
24 terms of your emergency exiting for all of your
25 various things. And the access to the stairs.

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1 MS. MOSES: Okay.

2 COMMISSIONER VALADEZ: Okay? Thank you.

3 CHAIRMAN BELLAMY: Any further discussion
4 with (inaudible). Now, we're going to lose a quorum
5 at 1:00. So how many persons --

6 MR. ALEXANIAN: We have a total of ten

7 speaker cards remaining.

8 CHAIRMAN BELLAMY: Now, are those double
9 cards or what?

10 MR. ALEXANIAN: No. These are individuals
11 that wish to speak. I've eliminated the double
12 cards.

13 CHAIRMAN BELLAMY: Oh, you've eliminated
14 them. There are ten. That'll work.

15 MR. ALEXANIAN: Okay. I'd like --

16 MR. HAFETZ: Last -- last week at a
17 similar type of a forum, we grouped the speakers for
18 both items. Is that what you're proposing here as
19 well? And gave them longer minutes.

20 CHAIRMAN BELLAMY: So we're giving them
21 four minutes?

22 MR. HAFETZ: Four minutes, and then they
23 can speak on either or both items.

24 CHAIRMAN BELLAMY: Okay. So that --
25 that'll take us to -- now, are we going to have

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1 rebuttal today?

2 MR. TRIPP: It's going to -- it's going to
3 get continued -- for the environmental documentation
4 as -- if for no other reason, but --

5 CHAIRMAN BELLAMY: Okay. Let's call --
6 let's call the first four.

7 MR. ALEXANIAN: I'd like to call Ruth
8 Galanter. Steven Cordova. Following Mr. Cordova,
9 Daniel Gottlieb and John Rizzo.

10 MS. GALANTER: My name is Ruth Galanter.
11 I've been dealing with the issue of senior's housing
12 in the West L.A. and Marina and Venice area for
13 30-something years now. First, as a community
14 activist, later as a member of the Coastal
15 Commission, and subsequently as the City Counsel
16 representative for the area surrounding Marina del
17 Rey.

18 The issues that come up on every project
19 are very similar. We're dealing in an area of
20 valuable land and everybody wants more than it is
21 possible to fit on the land. So there is obviously
22 a demand for open space. There's a demand for
23 parking, for recreational parking. But there is, as

24 you know, a serious housing shortage. And it is
25 particularly true on the Westside because we have so

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1 many work places, mainly in -- at the airport and in
2 the city of Santa Monica, and not nearly enough
3 housing.

4 I have also had the opportunity, while
5 remodeling my own house, to live in the Marina
6 across Panay Way from the second parcel. And I had
7 the opportunity to talk to many seniors -- active
8 seniors living in the building I was in and nearby.

9 And I want to speak strongly in support of
10 both of these projects because I believe that this
11 is an opportunity to provide recreational access to
12 people who do not need to drive to the beach. If
13 they are living in the Marina, they will walk as did
14 many of the residents in my building. They will
15 walk to the restaurants. They will walk to the
16 beach. They will walk to the coffee shop. They
17 will walk to the bank. Many of them were living

18 there because their adult children, seeking a place
19 for the widowed mom and dad, wanted a place near
20 where the adult children lived.

21 Clearly, the market is there. The dilemma
22 for you as for any planning body considering these
23 things over the last 40 years and well into the
24 future, is how to balance the various needs.

25 I feel very strongly that housing for --

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1 housing for anybody -- but housing for seniors is
2 particularly high priority, and I urge support of
3 both of the projects and would be happy to answer
4 any questions. I'm sure that's less than four
5 minutes.

6 CHAIRMAN BELLAMY: Any questions? When
7 you were in the City Council, I worked very closely
8 with Valerie Shaw.

9 MS. GALANTER: I remember. I came up to
10 say hello to you before, but you were busy. Nice to
11 see you.

12 CHAIRMAN BELLAMY: Thank you.

13 MS. GALANTER: Thank you.

14 CHAIRMAN BELLAMY: Yes, sir. Your name?

15 MR. CORDOVA: My name is Steve Cordova.

16 UNIDENTIFIED: Point of order. I think

17 there's (inaudible/off mike).

18 CHAIRMAN BELLAMY: Oh. Do we have persons

19 that haven't been sworn in? Please stand. Raise

20 your right hand.

21 (Potential speakers from the public officially

22 sworn in.)

23 CHAIRMAN BELLAMY:: Thank you. Just give

24 your name. You have four minutes.

25 MR. CORDOVA: My name is Steven Cordova.

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1 I'm a longtime resident of Marina del Rey and the

2 surrounding area. I've been an avid boater for over

3 30 years in Marina del Rey. I've owned several

4 boats. I utilize the services of Marina del Rey on

5 a daily basis. I travel Admiralty Way daily to and

6 from my home, which is adjacent to Marina del Rey,
7 in the city of Los Angeles, in the La Villa Marina
8 area, to my boat down Panay Way.

9 I have seen this project that's before you
10 only in a rendering, but I haven't had a chance to
11 see it in its entirety as I have today. And I have
12 to tell you I'm quite excited about it, and I concur
13 with Ms. Galanter's assessment that the Westside
14 does need housing, and senior housing of this nature
15 is a -- is a new idea and the concept excites me a
16 lot, because I think of my own folks, who may be
17 interested in living in a place like this.

18 What impresses me about this project is
19 that walkway between Washington Boulevard and
20 Admiralty Way. At the current time, there is no
21 access along that lagoon, and that would be a
22 tremendous improvement over what's there now.

23 Right now that parking lot, Parcel OT, is
24 completely underutilized. Like I said, I travel
25 Admiralty Way every day and rarely, if ever, do you

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1 more than one or two vehicles during the weekday and
2 even on weekends at some time, you hardly ever see
3 cars parked in that parking lot. The only time you
4 do see cars parked in that parking lot may be on a
5 very hot summer day, or on a Sunday, or when there's
6 a big event taking place across the street at what's
7 called The Fantasy, where there's some yacht
8 charters. And even then, that parking lot is rarely
9 utilized. So there is underutilization, in my
10 opinion. Like I said, I've lived there -- lived in
11 the Marina and surrounding area for better than 40
12 years, and I see that all the time.

13 Going across to the Panay Way project. At
14 the current time, there's a small building that
15 houses marine commercial use, yacht brokerages --
16 there's a marine chandlery, which is highly utilized
17 by boaters, and it's a very important part of the
18 boating environment to have a marine chandlery where
19 you can buy boat parts, equipment, small items that
20 you can't get at the larger marine hardware stores.

21 I've been told that all of the marine
22 servies that now utilize Parcel 21 will be retained,

23 which is important to me as a boater. Because I can
24 walk from my boat down to that building, which is a
25 short walk, and buy everything that I need for my

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1 boat. And what I can't buy there, I can order.
2 There will be -- from what I see, there will be
3 improved restroom facilities. There will be an
4 improved gym facility. There'll be a yacht club
5 facility. There'll be marine brokerages --
6 everything that is there will remain, if those
7 people choose to remain in an improved facility.

8 So I'm in support of both these projects,
9 especially this one before you because there's a
10 definite underutilization at the current time.
11 Thank you.

12 CHAIRMAN BELLAMY: Thank you very much.

13 DR. GOTTLIEB: I'm Professor Daniel
14 Gottlieb, professor of mathematics. And I'm going
15 to be talking about mathematics, and you -- and I'd
16 like to ask Mr. Hafetz a legal question so I can do

17 my thing.

18 With regard to the -- to the items that
19 I'm supposed to speak with, I'm going to show a
20 series of mistakes, and it's easy to see the
21 mistakes by comparing. And most of the time, I'll
22 be comparing OT with -- with 21, which means I'm
23 going to be talking at some point about a different
24 -- different concept here -- different thing. So is
25 that -- is that going to break your rule? I mean,

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1 I'd like -- I'd like you to say yes because I feel
2 that these rules are inhibiting public discourse.

3 CHAIRMAN BELLAMY: We're not going to
4 break any rules, but -- but if you go beyond your
5 four minutes, we're going to be leaving at 1:00, and
6 certain people aren't going to be able to testify.
7 Because we're going to leave at 1:00 on the dot.

8 DR. GOTTLIEB: So, now I only have three
9 minutes.

10 CHAIRMAN BELLAMY: Yes.

11 DR. GOTTLIEB: Okay. That's fine. But I
12 can mention different -- different --

13 CHAIRMAN BELLAMY: Oh, sure.

14 DR. GOTTLIEB: Okay. Well, the first
15 thing I'll mention is 4,446 cubic yards of waste.
16 4,446 cubic yards of waste involves, I think, the
17 Parcel 21. And the 7,768 cubic yards of soil is
18 mentioned for the -- as the export of soil from
19 Parcel OT.

20 Now, OT is only going to have 74 loads,
21 while the other one -- 21 -- is going to have 647
22 loads. But the obvious thing to do is to divide the
23 number of cubic yards by the number of truckloads
24 and find out what the value of the truck is.

25 And if you do that, you find that the --

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1 153 that the Parcel OT has -- or maybe it's 21 --
2 has 61.75 cubic yards per truck of waste and 12 --
3 the other one has 12 cubic yards per truck of soil.

4 Now, I don't have as much experience as

5 you, but from my experience of the shores opposite
6 us -- the Marina Strand Colony Two, they only have
7 -- they're only -- they're transporting 20 cubic
8 yards, and a project up the street was transforming
9 35 cubic yards.

10 There's nowhere in the Volume I of the
11 DEIR, which says how big these trucks are, what
12 their noise volume is, what their traffic thing is.
13 Not only that, but the number 4,000 -- I searched on
14 4,446 cubic yards and it has many different
15 positions. It comes up four times and one time
16 we're told that the 4,446 cubic yards is the sum of
17 something from Parcel OT and from Parcel 21; whereas
18 the original thing has it as just coming from Parcel
19 21, something like that.

20 But these are serious mistakes, which will
21 propagate throughout the whole EIR, and I hope you
22 follow Eisenhower's advice -- the principles that
23 make this country great. The values are honesty,
24 and integrity. And if -- if these developers have
25 the privileges that overwhelm that, if they're not

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1 being careful about honesty and integrity, then I
2 think it's a -- a blow for us in these crucial
3 times. Thank you.

4 MR. ALEXANIAN: I'll call several other
5 speakers.

6 CHAIRMAN BELLAMY: Yes, please.

7 MR. ALEXANIAN: John Nahas -- Nahas, I'm
8 sorry. Carla Andrews, David Barish, and Nancy
9 Vernon Moreno.

10 MR. RIZZO: John Rizzo, president of the
11 Marina Tenants Association. I've been active in the
12 Marina for 35 years and attending meetings for 35
13 years. I'd like to talk about this particular piece
14 of -- of (inaudible) that I've given you all.

15 But first of all, I'd want to say about
16 Ruth Galanter's thing that we need housing. Yes, we
17 do need housing desperately. We got 100,000 people
18 in the streets. Regional Planning send -- sends me
19 a letter and says, what do you think about housing?
20 What do you mean? They're -- I'm -- I'm in Venice.
21 They're laying in my yard; I'm cleaning up after

22 them -- which I'm glad to do. I'm for St. Joseph's.
23 I went down there and they tried to -- the neighbors
24 tried to throw St. Joseph's out, and I pleaded for
25 them.

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1 I'm for the poor. I'm for people that
2 need it. But people that can afford this kind of
3 thing that they want to put can live anywhere. They
4 can live anywhere. We need affordable housing, and
5 today, we need affordable housing more than ever.
6 People are -- are -- they're coming down in wages,
7 they're losing their jobs. We need affordable --
8 and it's public land. It's supposed to be
9 affordable. There's a price control. It says that
10 that the lessee is to receive a fair return on their
11 investment. They're getting market value in
12 violation of the lease.

13 Not only that. Not only that -- the
14 County can get its money. You cut the -- you cut
15 the rents in half and you double the percentage

16 rental. You go from 10 1/2 to 21 percent, and you
17 get the same money. If you want more money, you go
18 to 25 percent. It's just a game they're playing to
19 turn over public land to private individuals and get
20 kickbacks and campaign contributions -- which they
21 get a lot.

22 And the public makes nothing, as I talked
23 to you the last time. I'm not going to go into that
24 again because my time is getting short -- how the
25 County doesn't really get anything out of the

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1 Marina, and that's a fact. It's all a wash.

2 I have paid close attention to this public
3 lot. I've gone before the Department of Beaches and
4 Harbor numerous times this summer. I've made it a
5 real effort because it is empty. And the reason
6 it's empty is that for some reason when they come
7 down Washington they don't know that it's a public
8 lot. And I've been on them to change the signage --
9 just like the lady here, Mrs. Valadez said about

10 this thing. You got to be careful. They play
11 games. They don't want people to park there or they
12 would make it so that people see it.

13 At that -- five blocks away is the beach.
14 That lot on -- on peak days is totally full, and the
15 beach is empty because it goes all the way down to
16 the rocks. It's underutilized. The neighbors don't
17 want a bike path through there, and they don't want
18 that lot expanded. We could use this lot for over
19 peak days. But -- but the Department of Beaches and
20 Harbor, of course, doesn't want to use it because
21 they want -- they're a lessee to build on it. So
22 I've talked to them and talked to them. So what do
23 they do? They turn the sign around. If they put a
24 big sign that said beach parking, 7, 5, 6 -- 8
25 dollars, it would fill up. There is no parking on

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1 it. Underutilized? There's no parking on it.
2 Except for a few occasions. And why? Because the
3 Beaches and Harbors doesn't want the parking, and

4 I've gone over this time and again this summer.

5 We have cars parked coming down
6 Washington, coming down Venice -- because I walk
7 that way coming from work -- and there's nowhere for
8 them to park. There's nowhere for them to park.
9 And I've talked to people, and nobody's interested
10 in where the public can park. All they're really
11 interested -- how many commercial buildings can we
12 put in the Marina? That time is over. You're
13 dealing with an old model, and the old model has
14 collapsed our country, by the way. And it's turned
15 over everything to the rich, and it was supposed to
16 trick down. Well guess what? We're not trickling
17 down anything, and we're in the worst depression.
18 And you're continuing on with this old model.

19 We need affordable housing. We need
20 recreation, and we need that lot. If you look on
21 this map, you've got one parking lot in the middle
22 of -- it used to be Admiralty Park, now it's Burke
23 Park, because I made a big stink about them taking
24 her name off because she was too honest. And they
25 changed it to Admiralty Park, and now they've

1 changed it to Burke Park again.

2 We've got one little -- we've got a
3 parking lot right in the middle. Well, what are old
4 people -- how are they going to walk all through
5 here? Yeah, young people like the fact that we've
6 got all this big area, but older folks, they --
7 where're they going to park? Oh yeah, we're going
8 to provide this parking in this building. Don't
9 worry about it. Yeah, this same lessee has been
10 problem child from Day One on his -- on his
11 affordable housing. It was like a nightmare to get
12 him to put it in.

13 He's had other problems. He has those big
14 regatta things. He had HUD housing. It was in The
15 Times; he never did it. Once, he wanted to go to
16 the Coastal -- he was in a coastal zone -- he wanted
17 to do a building -- a project. He tore the mountain
18 down without getting a -- the top of it without
19 getting a permit. Why not? And then you pay the
20 fine. Hey, you're way ahead of the game.

15 over some other people's time.

16 MR. RIZZO: I'm -- I'm sorry, you should
17 have warned me. I'm sorry.

18 CHAIRMAN BELLAMY: No, I'm -- that's up to
19 you guys. Thank you. Yes, sir.

20 MR. NAHAS: Good morning, Chairman
21 Bellamy. Good morning, Commissioners. My name is
22 John Nahas. I am with the boating coalition, and I
23 am a resident in Playa del Rey.

24 This change in designation of the land use
25 of our public resources for wealthy seniors is

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1 inappropriate. Our public lands are for all of our
2 citizens, and this project that is being proposed is
3 not public friendly. Are your workers here -- our
4 staff members should be able to be part of this
5 Marina.

6 How -- excuse me -- Commissioner Helsley,
7 our kids that we used to teach should be part of
8 this Marina. This wealthy -- the project for this

9 hotel, the wealthy, is inappropriate use for this
10 land.

11 While there may have been an affordable
12 component proposed in this hotel, the Harbors and
13 Rivers Act, Public Law 780, House Bill 389, were
14 very specific about how this Marina was created.
15 For everyone at fair and reasonable prices. You
16 didn't hear that from the applicant.

17 The Coastal Commission was very clear on
18 what they asked for parking lots, and what could be
19 designated for parking lots. It's very clear in the
20 Local Coastal Program that you were supposed to
21 oversee.

22 Parking lots can only be turned into what?
23 They can only be turned into parks. Not senior
24 citizen centers, not buildings, massive buildings.
25 What is the reason for open space? Why is open

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1 space so crucial to our Coastal Zone?

2 You heard from Staff about the major

3 development of Oxford Basin. I don't have a laser
4 pointer here, but Oxford Basin is being developed.
5 It is going to be an asset for Los Angeles County.
6 Not only for birders, but all these different
7 science -- you know what? I'll just point to the
8 top there. You see lagoon. This is going to be the
9 -- the destination for a lot of our science
10 students, for a lot of our people that are
11 interested in just coming out and enjoying the
12 environment, going to the lagoon. But they haven't
13 put any parking in.

14 The public was told and given this
15 opportunity that OT would be for the lagoon -- for
16 the new, redeveloped lagoon. They're telling you
17 about -- what Staff has said is that they're going
18 to -- they're going to fence off the lagoon, but
19 they're going to have a lot of these new
20 participants in this area. Where's the parking for
21 them? In Los Angeles -- are they just supposed to
22 walk from East LA? Or South LA? I don't think so.

23 The parking lot is currently being
24 utilized by Fantasy Yachts. Fantasy Yachts has
25 serviced our citizens in Los Angeles County for

1 weddings, graduations, and other distinguished
2 ceremonies for many years. Our public has access to
3 the water by the use of this parking lot and the use
4 of Fantasy Yachts. There is very limited parking in
5 the old Edie's Diner -- it's now called Panificio.
6 Organic Panificio, and we need that parking lot to
7 stay for the public area, for the public arena.

8 This is the start of the demise of the
9 control -- the Design Control Board that
10 Commissioner Alvarez has -- has alluded to. I
11 really appreciate your attention to detail,
12 Commissioner Alvarez, because this is really what
13 was the -- I'm sorry -- Valadez. This is really
14 what the crux of -- of what is happening here. The
15 Design Control Board said, wait a minute? What's
16 going on with all this parking? We're losing
17 parking here. You're saying that we're somehow
18 going to retain parking. Where? The numbers -- and
19 if you looked at the minutes, they were very upset.

20 They had been told lies, and they said, no more. No
21 more, Stan Wizneski. No more. You cannot tell us
22 and we're not -- we're going to find out what's
23 going on in the parking. If you would please, just
24 do some further investigation with Design Control
25 Board.

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1 Beaches and Harbors has committed -- and
2 you obviously have seen this. From their website:
3 Parcel OT will be a 114 senior care facility.

4 We saw your County counsel interrupt this
5 meeting and go off and speak with the Department of
6 Beaches and Harbor director. We don't want to keep
7 on seeing that happen. These deals that are being
8 made, these obligations that are being made in front
9 of you is inappropriate.

10 Going on -- and I know I'm running over my
11 time here. I want to just speak about some of the
12 questions. The parking is being manipulated.
13 Commissioner Helsley, you -- you definitely hit it

14 on the head. Walling off on the Marina. The
15 destruction of open space is continuing this walling
16 off. We hope that you don't allow it. The DCB had
17 major concerns. Please look more into that.

18 The developer is -- and what you don't
19 hear -- what you haven't heard today? The developer
20 is proposing a reduction in boat slips in Parcel 21.
21 They're not telling you that today -- 50 percent
22 reduction. The loss of 95 boat slips, and more
23 importantly, a reduction of 140 boater-dedicated
24 parking spaces going down to 75 boater-dedicated
25 parking spaces. They're not saying that.

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1 And then lastly -- this is the cart before
2 the horse. Commissioner Rew hit this on the head.
3 You have people that are going -- this should be
4 going as an LCP amendment to the Coastal Commission
5 and then back to this Planning Commission, not vice
6 versa. You cannot make these decisions when you
7 don't even know that the law can be changed.

8 Thank you for your time.

9 MR. BARISH: Good afternoon, honorable
10 Commissioners. I just want to say -- my name is
11 David Barish, co-director of "We Are Marina del
12 Rey." I have submitted a detailed comments letter
13 for your review and for the record that covers a
14 range of issues and concerns. We are asking your
15 Commission today to continue these projects until
16 certain feature actions are taken, which I will
17 focus on below.

18 But in general, we have before us today,
19 the same issues we dealt with at last week's hearing
20 within (inaudible) Neptune.

21 An out of order process. LCP amendments
22 by exception. Public land grab for private
23 development. The piecemealing of the County's
24 overall Marina del Rey redevelopment project.
25 Premature and discretionary approvals. And as far

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1 as I know, there is no RFP submitted for OT.

2 I will expand more on the out of order
3 process and why these projects must be continued
4 today to an uncertain future date.

5 The scheduled Planning Commission hearing
6 today is premature for two reasons. First, the
7 Design Control Board has not reviewed nor
8 conceptually approved the current project as it is
9 before you today.

10 On August 18, 2005, the DCB agenda was
11 they considered a new building on a severance of the
12 westernmost portion of Parcel 21 for future use as
13 public parking. That was what was approved. And it
14 was confirmed in next month's meeting, when it said,
15 "Approval of the Record of the DCB's August 2005
16 action for conditional approval of a new building
17 that includes a yacht club, office space, parking,
18 and a public park.

19 The project that was granted conceptual
20 approval was the remaining eastern portion of Parcel
21 21 to be used for construction of a new building,
22 including yacht club, office space, outside parking
23 for its users, and an adjacent park. The Department
24 of Beaches and Harbors went back to the DCB in

25 February to consider the public parking on the

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1 western portion of Parcel 21. That was continued,
2 and it has been continued indefinitely -- it has not
3 gone back.

4 This project as it sits before you has not
5 been reviewed or conceptually approved by the DCB,
6 and I urge you to continue this -- these projects
7 that are integrated together until the DCB sees it
8 and approves it.

9 Furthermore, the second reason why we need
10 to continue these -- these projects, is because
11 these projects are part of the bundle of projects,
12 labeled by the L.A. County Department of Beaches and
13 Harbors and Regional Planning as pipeline projects;
14 okay?

15 It is premature and out of order to hear
16 these individual projects now prior to the drafting
17 of a compound LCD amendment that would allow these
18 projects to proceed, let alone prior to any action

19 being taken on it -- by your Commission, by the
20 Board of Supervisors, by the California Coastal
21 Commission -- all required steps that need to be
22 completed before these projects can ultimately be
23 approved.

24 And furthermore, in terms of just the
25 piecemealing, you haven't seen the projects that are

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1 going to be -- two additional projects that are
2 proposed for Mother's Beach that are in between
3 these projects. Parcel IR and Mother's Beach, a
4 two-building structure, a hotel, and the Zuker
5 project on Parcel 33 NR, which has not come through
6 yet. Those are major changes all surrounding this
7 area that are not being looked at in a -- in a
8 cumulative fashion by your Commission.

9 The second thing -- the other thing is
10 that during the LCP amendment there will be a
11 cumulative impact assessment that is being prepared.
12 I don't know what -- what's going to be in it, but

13 they're preparing it. Why are we hearing these
14 projects now before that's done -- before that
15 impact assessment comes before this Commission. It
16 is out of order, and if you proceed today to a final
17 EIR, you are violating Sequa, Coastal Act, and your
18 own rules.

19 And the final thing I wanted to say -- a
20 small thing, but one of the other public comments
21 speakers today -- Steve Cordova, neglected to tell
22 you that he is actually a part of (inaudible) Yacht
23 Club, which actually is a -- their club is being
24 moved to Parcel 21 from 20, so they are actually
25 have an interest in this project, but they didn't

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1 say that. I think that's important to hear.

2 Thank you.

3 CHAIRMAN BELLAMY: Thank you very much.

4 Yes, m'am. Next speaker. Take a chair, please. We
5 have more speakers?

6 MR. ALEXANIAN: The last speaker is Larry

7 Koch.

8 CHAIRMAN BELLAMY: How many before him?

9 MR. ALEXANIAN: Only the two ladies at the
10 testifier's table.

11 CHAIRMAN BELLAMY: Oh, okay. That's fine.
12 Yes, m'am.

13 MS. ANDRESS: Good afternoon,
14 Commissioners. In regard to Parcel OT, senior -- I
15 guess we haven't figure it out -- residential hotel,
16 whatever -- some creative idea. Anyway -- oh, my
17 name is Carla Andress, sorry. Goldrich & Kest's
18 reputation with seniors in the Marina should
19 preclude him from any consideration of this
20 ill-advised project. I will remind you of Parcel
21 20, the Capri, which I know we were in front of you
22 on that in 2005. I -- I hope you remember it. I
23 certainly remember it. Senior citizens interested
24 in ten units of affordable housing promised as a
25 condition of Goldrich & Kest's permit to build the

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1 99-unit Capri. They were denied those apartments
2 for two years. They had to fight for two years,
3 while Goldrich & Kest tried to back out of the deal
4 they made for the density bonus and other
5 considerations gotten.

6 Two years later when the seniors moved in
7 -- we won the battle -- they had to fight over the
8 overcharges in rent. That's not the most egregious
9 of his violations, and he has many of them. Let me
10 just tell you, I went down to Regional Planning and
11 these are violations on Parcel 18 about parking and
12 age restrictions -- several of them.

13 But the worst, I think, is Parcel 18, but
14 not the violations so much as just the parking and
15 the age restriction, but the whole deal. The deal
16 was real interesting. It started off as senior
17 citizens board and care, age 62 and over, 75 units,
18 per occupants per unit, meals provided by The Chart
19 House, no less, and nurse on site. It was a real
20 service to the senior citizens that needed special
21 services -- special needs, which is why we provide
22 affordable housing.

23 It was changed by Goldrich & Kest to 60

24 units, market rate -- not even 50 percent affordable
25 as required in the law -- one occupant per unit, no

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1 special services, no nurse, no meals. This project
2 doesn't even qualify for the density bonus he
3 received or the parking considerations -- 30 spaces
4 for 60 units -- and to this day, there's no doubt
5 that he's in violation of that parking permit,
6 because these are active senior citizens that moved
7 in there, 55 and over.

8 Goldrich & Kest is unworthy for stealing
9 board and care, of which the Development Zone called
10 for. It's a Development Zone, and it was called for
11 congregate care -- 75 units. Nowhere, absolutely
12 nowhere. And so for taking from the weakest among
13 us, the sick and elderly, and instead Goldrich &
14 Kest is envisioning counting profits from the best
15 market he could tap into -- well-established, active
16 senior citizens, 55 and over. That's how he
17 promoted the Monte Carlo before it even opened. But

18 you recall, it was supposed to be for 62 and over,
19 so therefore, more violations.

20 Alternatives for this site, and I think
21 that's very serious. We -- we can't even allow
22 considering Goldrich & Kest for this project. There
23 were no consequences, by the way -- not even a slap
24 on the wrist. He got no consequences. The seniors
25 paid plenty. Alternatives for this site should have

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1 been considered:

2 A park-and-ride -- I mean parking. It
3 should be parking. It's close to the beach. You
4 should be able to park there and walk down to the
5 beach or cycle down to the beach from there. You
6 have a bicycle rental there. You have a
7 park-and-ride so that people can get on a shuttle,
8 leave their cars there, and go off to the beach and
9 start relieving the traffic in Venice. And it would
10 honor our LCP, which is a unique idea, with
11 additional open space, the parking that we need, we

12 could -- if there's a little extra space, throw in a
13 few picnic tables so that we can enjoy that
14 atmosphere, along with the Oxford Flood Basin and
15 its expensive renovation.

16 As for Parcel 21, you shouldn't consider
17 it -- it shouldn't be considered until the condition
18 for Parcel 20 is fulfilled. Parcel 20 is where the
19 yacht club was going to go. The remainder of 20 was
20 to be marine commercial. The yacht club was
21 anticipated for that, but the yacht club has agreed
22 to move on top of the four-level parking structure.
23 That's their choice. But that does not redesignate
24 marine commercial. It's supposed to be marine
25 commercial; that was one of the conditions. That

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1 was the only other condition that he was able to
2 build this 99 units.

3 So that's been displaced by the Department
4 of Beaches and Harbors administrative building, the
5 last we heard. You can check the status report for

6 the project status report.

7 Parcel 21 eliminates parking for boaters,
8 and takes the modest restroom facilities, which are
9 stand-alone buildings and tucks them into the
10 parking structure, and this violates the certified
11 LCP. The LCP does discuss this issue about
12 restrooms and putting them -- okay. I'll -- I'll
13 wrap it up with this. 21 shouldn't be considered
14 until Waterside is considered. 21 Waterside wants
15 to eliminate boater parking and small slips
16 regardless of the Coastal Commission's
17 recommendations.

18 These projects exemplify this
19 out-of-order, broken, abusive process that serves no
20 one well, not even the developers.

21 And I have this to submit, but I'll have
22 to make copies. Can I mail them to you? Thank you.

23 CHAIRMAN BELLAMY: Thank you.

24 MS. MORENO: Good afternoon, honorable
25 Commissioners. My name is Nancy Vernon-Moreno, and

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1 I'm co-director of "We Are Marina del Rey." First
2 of all, I would like to point out that the
3 applicant, MDR Oceana LLC, is not, as the Staff
4 report asserts, a lessee on Parcel OT. It has a
5 lease/option for the Parcel, which is contingent
6 upon obtaining amendments to the LCP that would
7 allow this proposed project to go forward. It is
8 illegal under present law. The Parcel is zoned for
9 public use, specifically a park or parking only.

10 The applicant does not possess either the
11 leasehold interest or any entitlement to build on
12 this parcel.

13 I'd like to address the Active Seniors
14 Accommodation Land Use Category. That's just a
15 crock. I'm sorry, I don't know a better word for
16 it. In the 1980s, there was a lawsuit about
17 discrimination against families with children in
18 apartment buildings. That lawsuit originated in
19 Marina del Rey because they wanted to keep families
20 out. There are no services for these families.
21 There are no schools, childcare, the things that you
22 want for families are not supported in Marina del

23 Rey. That all relies on the surrounding
24 communities. Hospitals -- all of these really
25 essential services, and we are to provide the

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1 recreation for the whole region, and that's not
2 happening here.

3 The DCB did not approve a project for
4 market-rate housing, which is what is anticipated
5 here. There is no shortage of luxury housing, as
6 Mr. Rizzo pointed out, but it's not the business of
7 Los Angeles County to be in the luxury housing
8 market -- or to be in the luxury housing business.

9 The DCB approved these with, I believe,
10 it's something over 40 parking spaces. I looked and
11 I tried to find how many parking spaces are provided
12 for residents, but it's well under the 114 units.
13 You are going to have a serious parking shortage.
14 They say they follow County Code, but it followed
15 County Code based on being a congregate care-type
16 facility for the old and the infirm.

17 But I have to ask you, basically, get down
18 to the bottom of all this. Why is the applicant
19 putting the old people -- infirm or active or
20 whatever level of physical capability -- between the
21 two major highways and the parking structure on the
22 prime waterfront land? It makes no sense. The DCB
23 wondered about that as well.

24 They also asked the County to revisit
25 approvals of five projects, which did not, as they

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1 had been assured, have the required parking on site,
2 and they asked the County to please consider scaling
3 back or finding new locations for these projects.
4 OT was one of those ones that was included in that
5 request. Nothing ever became of that except the
6 motion, which eventually succeeded, to undermine the
7 authority of the DCB.

8 I do invite you to drive out to the Marina
9 and deliberately go park in Lot OT. Because first
10 you have to find where the entrance is, and it is

11 not accessible from most directions. If you go in
12 Palawan, you can't get there. You can go across
13 traffic and cut through the alley, but you have to
14 find it. It's in the alley. I'll give you a hint.
15 It's in the alley next to the Marina International
16 Hotel. This may have a lot to do with why the
17 parking lot is so underutilized, but that, too, is
18 an inaccurate term. The parking lot is underserved
19 by recreation, and we finally have a project moving
20 forward to put some recreation there, and you're
21 taking it away. Well, you're not -- I hope you
22 won't.

23 But what I hope you will do today is
24 direct Staff to correct all of the errors of
25 commission and omission in this report, to give

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1 accurate data, and an honest accounting of what this
2 project is and what it does.

3 And thank you very much for your time.

4 CHAIRMAN BELLAMY: Thank you. Yes, sir.

5 MR. KOCH: My name is Larry Koch, and I'm
6 a resident of Marina del Rey and Playa del Rey. I
7 have a sailboat in the Marina, and I have had that
8 for many, many years. I'm in favor of this project
9 in that I believe it is responsible redevelopment of
10 the land. A lot of projects that we have seen in
11 the Marina where the density is so overwhelming, I'm
12 not in favor of those kinds of projects. But this,
13 I believe, to be a good use of the land.

14 There is substantial parking that nobody
15 has mentioned on the Palawan side of Mother's Beach.
16 Mothers Beach users can use that parking, they can
17 use the existing public parking off Panay Way, and
18 they'll be able to use the enlarged parking lot that
19 Mr. Gardner is planning to build.

20 There is no reason that a responsible
21 driver cannot park his car and walk that distance.
22 Crossing Admiralty Way is not a good idea. Cars
23 come around that bend by the three towers, and
24 unless somebody has hit the crosswalk button,
25 they're coming around there at -- usually at 40

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1 miles an hour or more. And I'm sure that you
2 probably know the County makes a lot of money on the
3 speeding tickets that are issued on Admiralty Way.

4 This, I believe to be a responsible
5 redevelopment of the area. There will be ample
6 parking on Panay Way for the commercial building.
7 There will be ample parking between Washington and
8 Admiralty in the vicinity of the senior care
9 facility.

10 I'd also like to address the fact that --
11 I don't know how long you all have sat on this
12 board, but you'll notice the same group of people
13 come to every one of these meetings in opposition of
14 any project, large or small, regardless of its type,
15 size -- they just do not want anything, anything
16 redeveloped in Marina del Rey. That is not
17 responsible planning. These buildings are old;
18 they're falling apart. They need redoing.

19 The new Jamaica Bay Inn that is currently
20 being refurbished is also, in my mind, a very
21 responsible redevelopment. The buildings do not

22 come right out to the property line like other new
23 developments; they're leaving open space around the
24 buildings. And yet, these folks, the same folks
25 that are here today against this project, are

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1 against that project. They're against any project
2 in Marina del Rey, and I would think, in your minds,
3 that that should be unacceptable. Responsibly
4 redevelopment these public lands. Make them
5 attractive, functional, and cost efficient. Thank
6 you.

7 CHAIRMAN BELLAMY: Thank you. That's the
8 end of the --

9 (Inaudible voices off mike.)

10 CHAIRMAN BELLAMY: Sir, the -- we're going
11 to continue this; is that right? So we don't need
12 rebuttal?

13 COMMISSIONER VALADEZ: We don't have time
14 for rebuttal. We're going to lose quorum in a few
15 minutes.

16 COMMISSIONER REW: Yes. We're going to
17 lose quorum. I would hope that the applicants were
18 taking notes and will during their rebuttal period
19 at the continued public hearing, rebut or offer
20 answers to the questions that have come up.

21 Also, Staff is requesting a date certain.
22 However, I'm concerned about this letter from the
23 Department of Toxic Substances. How long is it
24 going to take to answer that, respond to that -- I
25 don't think we want to rush into a date that just

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1 forces us to continue and continue and continue.
2 Does Staff have a date in mind?

3 COMMISSIONER HELSLEY: Mr. Chairman, we
4 have another one that has been continued until
5 February something -- February 3rd or 4th or
6 something like that. I -- I would like to see us
7 take those cases and this case in a little more
8 sequential position. I -- I have a real problem
9 with trying to coordinate my parking from that and

10 the parking from this, and I would like to see Staff
11 come up with a coordinated parking plan for the
12 Marina -- for all of these projects, so that we --
13 we know. So I would recommend that we look at
14 February.

15 COMMISSIONER REW: I wouldn't recommend
16 the same day.

17 COMMISSIONER VALADEZ: I would not
18 recommend the same day.

19 COMMISSIONER. REW: Whether they follow
20 each other, that's fine.

21 COMMISSIONER HELSLEY: Okay. This -- the
22 other one was February 3rd -- is when we have
23 continued that one too, so maybe if we go to the
24 following week, February 10th.

25 COMMISSIONER REW: Let's see what Staff

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1 says.

2 MR. ALEXANIAN: I believe February 10th
3 would be a better date for continuing this hearing.

4 February 10th would be our recommendation.

5 COMMISSIONER REW: And I would like to
6 just leave it at -- continue this to February 10th,
7 period. In other words --

8 COMMISSIONER HELSLEY: I'd second that.

9 COMMISSIONER REW: -- not with the -- the
10 other things that have been proposed, because there
11 are a lot of issues here. I'm concerned about the
12 parking also.

13 CHAIRMAN BELLAMY: We're leaving. We're
14 leaving. We have to leave.

15 UNIDENTIFIED: Parcel 21 --

16 CHAIRMAN BELLAMY: Well, you need to talk
17 to Staff about that. You need to talk to Staff
18 about that, sir. Because we're -- we're three
19 minutes away from leaving.

20 COMMISSIONER REW: I would move then that
21 the public hearing be continued to February 10th and
22 instruct the Staff and the applicant to prepare
23 rebuttals to the issues that have been brought up
24 today and to -- period.

25 COMMISSIONER HELSLEY: Second.

1 CHAIRMAN BELLAMY: It's been moved
2 and seconded. Any further discussion? All in
3 favor?

4 UNISON: Aye.

5 CHAIRMAN BELLAMY: Now County Council,
6 we're -- we're going to have to leave now.

7 MR. HAFETZ: Yes, Mr. Chair. As long as
8 there are three members. We need to have public
9 comment, and there are several people who signed up
10 for public comment.

11 CHAIRMAN BELLAMY: I'm leaving; that's
12 what I'm saying.

13 COMMISSIONER VALADEZ: We're losing quorum
14 at 1:00.

15 CHAIRMAN BELLAMY: At 1:00 we're leaving
16 -- we're losing quorum.

17 COMMISSIONER VALADEZ: We can hear one
18 person for one minute or each -- we just don't have
19 any additional time. I have to leave, and the Chair
20 has to leave at 1:00, so there's not going to be

21 three people. There's not three persons.

22 MR. HAFETZ: Under the circumstances, I
23 believe it would be appropriate for just the two to
24 stay for -- for the public comment since no
25 deliberations need to be made, and they can report

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1 back next week.

2 CHAIRMAN BELLAMY: That would be fine.

3 COMMISSIONER VALADEZ: That would fine.

4 CHAIRMAN BELLAMY: And they can get
5 continued reports too?

6 COMMISSIONER HELSLEY: May I ask who the
7 two are? No, not Mr. Helsley. It'll be
8 Commissioner Rew.

9 COMMISSIONER REW: I'll field this.

10 COMMISSIONER VALADEZ: Thanks,
11 Commissioner.

12 COMMISSIONER HELSLEY I appreciate your
13 picking that up.

14 COMMISSIONER. REW: Volunteer -- three

15 minutes.

16 COMMISSIONER VALADEZ: Thank you.

17 COMMISSIONER HELSLEY: Mr. Chairman, you
18 had public -- or Commission comments? I would like
19 to commend Staff and the hearing officer in
20 particular. Actions that were taken just the other
21 day. We had eight -- eight cases that had
22 inactivity and thank you for the actions that were
23 taken.

24 MR. ALEXANIAN: Thank you. Those were all
25 land division cases.

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1 MR. HAFETZ: Commissioner Rew,
2 Commissioner Helsley, I believe we can call the
3 public comment speakers now.

4 MR. ALEXANIAN: Okay. I have several
5 cards here for public comment. David Barish. Is
6 Mr. Barish here? Carla Andress?

7 UNIDENTIFIED: (Inaudible.)

8 MR. ALEXANIAN: John Rizzo? Do you wish

9 to speak? No? John Nahas? Nancy Vernon Moreno,
10 and Daniel Gottlieb. Public comment.

11 COMMISSIONER REW: Let me caution you
12 ahead of time. This is public comment to address
13 items that were not on today's agenda, and you're
14 limited to three minutes. After you state your name
15 -- after you state your name, the clerk will start
16 the clock; okay? And when the red light comes on,
17 your three minutes is up. Are you ready?

18 MR. HAFETZ: Commissioner Helsley just
19 stepped aside for a second.

20 COMMISSIONER REW: Pardon me?

21 MR. HAFETZ: He left as well? Okay.

22 COMMISSIONER REW: Yes, he left as well.
23 He said he's leaving. Yes, sir. State your name.

24 MR. NAHAS: My name is John Nahas again.
25 I'm a resident of Playa del Rey and with the boating

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1 coalition. Commissioner Rew, I just have to say
2 what -- the comment that you made last week is

3 critical in that -- and I hope you follow up -- and
4 Commissioner Valadez, since you just came back, and
5 I want to apologize for mis-using your name again.
6 I thought that was really inappropriate.

7 But, Commissioner Rew, you know, we need
8 to have this public process refined, and we need to
9 have a certain order of business. And you hit the
10 nail on the head, if you would just follow through.

11 And -- and I have to put this on you
12 because you made that comment. You -- you knew that
13 it was upside down. You knew it was wrong. And
14 we've heard other Commissioners say it's wrong.
15 Now, what we tell our kids in the classroom is when
16 we know something's wrong, we have to make
17 solutions. We have to correct that behavior,
18 whatever it is.

19 So I'm hoping rather than just put it off
20 on Staff, that maybe you can direct Staff to say
21 from now on -- going forward, we are going to change
22 the way the process -- so it works for our
23 Commission and the public and the developers. And
24 that is change the LCP as it's written -- get the
25 amendment, then go and get -- take obligations, sign

1 these lease options if Beaches and Harbors wants to
2 do that. Then come in front of your Commission.

3 And again, what happened last week with
4 County council and Department of Department of
5 Beaches and Harbors having to interrupt this meeting
6 to go have this private conversation as to what Ms.
7 Valadez was talking about in the way of, you know,
8 trying to get DCB to look at another commitment,
9 that -- that -- it just speaks to everything that's
10 happening. And I hope that you appreciate that
11 we're really concerned about this. And I would just
12 hope that you can -- you can somehow back that up.

13 MR. HAFETZ: Can I just respond really
14 quickly? I often speak to opponents as well. They
15 come up to me; they talk to me. If I can help, I
16 do. So it's -- it's not one-sided. In fact, if
17 you're interested in talking with me, I'll give you
18 my card and we can talk.

19 MR. NAHAS: So just to clarify, the

20 meetings are interrupted quite a bit? Is that what
21 you're saying?

22 MR. HAFETZ: That's not what I'm saying.

23 MR. NAHAS: Oh, okay. So but the meeting
24 was halted to where you had to speak with the
25 director of Beaches and Harbors.

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1 MR. HAFETZ: Beaches and Harbors was a
2 co-applicant. We were asking the applicant about
3 continuance dates.

4 MR. NAHAS: Okay. Just wanted to verify.
5 Thank you.

6 COMMISSIONER REW: Thank you. Yes, ma'am.
7 State your name.

8 MS. MORENO: My name is Nancy Vernon
9 Moreno. Thank you, Mr. Rew, for staying and
10 listening to us. We really appreciate the
11 opportunity. I'll try to be brief.

12 The final speaker talked about
13 irresponsible development and said that we come here

14 and we object to every project. What we object to
15 is the piecemeal approach -- one that does not
16 consider all of the proposed development. "We Are
17 Marina del Rey" is on record in support of
18 redevelopment of Marina del Rey in a cogent and
19 responsible manner and one that --

20 MR. KOCH:: (Inaudible.)

21 MS. MORENO: -- and one that involves the
22 community in the land use issues and balances.

23 MR. KOCH: Name one.

24 COMMISSIONER REW: Wait. Please don't
25 interrupt. Are you on record to speak next, sir?

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1 MR. KOCH: Sure.

2 COMMISSIONER REW: Then that's your time
3 to speak.

4 MS. MORENO: I'm sorry. That was very
5 distracting. I guess I won't finish up quite as
6 quickly.

7 The Coastal Commission recommended a

8 comprehensive planning approach. They discussed it
9 very thoroughly in their deliberations in the LCP
10 review, which, by the way, they were under the
11 impression throughout that thing that the county had
12 dropped plans to build in the public launch ramp.

13 COMMISSIONER REW: Wait a minute now. Now
14 we're starting to talk about things that were on
15 today's agenda.

16 MS. MORAN: No, it's not on today's
17 agenda. The public launch ramp is not on today's
18 agenda. And this is about -- about misinformation
19 and disinformation in all sorts of County documents
20 that create the conditions where approvals are given
21 for things that are not quite as they are
22 represented.

23 And the public launch ramp is supposed to
24 be off the table according to the Coastal Commission
25 -- their findings -- that had been dropped. The

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1 plan to build parking structures had been dropped.

2 So all of the Coastal Commission's recommendations
3 are based on these assertions given to them by the
4 County. And those are the kinds of errors that are
5 creating havoc with the Plan being pursued
6 piecemeal, as this one is. It's not part of an
7 overall plan.

8 Parcel 18 is still being carried. It's
9 still in the Review -- still being represented by
10 the County as congregate care. And it is not. That
11 correction, also, has not been made. All of this
12 information -- the County says, "Oh yes. We're in
13 compliance with the LCP." They're not. And major
14 policies and major provisions of our General Plan
15 that lay out the balance of development -- something
16 that -- that makes symbiotic land uses or creates a
17 synthesis between different uses is now completely
18 out the window.

19 And we are saying you do need a Master
20 Plan. The Coastal Commission recognizes it. The
21 Coastal Act recognizes it. That's what an LCP is
22 all about, and that's what we need, and that's what
23 we are asking for. And until we get a say in land
24 use and until we have a recreational plan for the

25 redevelopment of Marina del Rey -- there is no plan

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1 for recreational development in Marina del Rey.

2 COMMISSIONER REW: Thank you. Your --
3 your time has expired. Thank you.

4 MS. MORAN: Okay. But that's -- that's --
5 I just wanted to address those issues. Thank you
6 very much.

7 COMMISSIONER REW: Yes, sir. State your
8 name.

9 MR. KOCH: Thank you. Larry Koch, again.
10 I apologize for interrupting her, but I would ask
11 her now that it is my turn to speak that this group
12 of naysayers name one project in Marina del Rey that
13 they've been in favor of. Name just one. Ask any
14 of them to come back up here and name just one
15 project.

16 (Simultaneous inaudible voices from audience.)

17 COMMISSIONER REW: Just a minute. Just --

18 (Simultaneous inaudible voice from audience.).

19 COMMISSIONER REW: Let's -- let's stop
20 this right now.

21 MR. KOCH: He's -- he's representing --

22 COMMISSIONER REW: No. No. I don't -- I
23 don't want to hear about what he is. I want to hear
24 -- you --

25 MR. KOCH: Okay. What I have to say is

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1 that this is a responsible redevelopment of this
2 project.

3 COMMISSIONER REW: No, wait. We're not
4 talking about this project. This is the Public
5 Comment period. What we had on the agenda today has
6 been continued to another date.

7 MR. KOCH: Okay. I understand.

8 COMMISSIONER REW: Now, if you want to
9 talk about something else other than what was on
10 today's agenda, that's what your time is limited to.

11 MR. KOCH: All right. I want to address
12 filibustering. We all know what it is. This group

13 filibusters at every meeting they go to, including
14 this one. They ran over on their time. I was
15 worried I was not going to get an opportunity to say
16 a single word because you said you were going to end
17 at 1:00. You're not giving the developer, you're
18 not giving the audience a fair opportunity to voice
19 their opinions if you don't hold to your own rules.
20 You have four minutes. That means four --
21 not eight. It's just not right. That is their M.O.
22 They come to these meetings. They filibuster. They
23 run on and on and on about things that don't matter
24 -- about things that you need not be concerned with.
25 They filibuster, and that should be unacceptable.

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1 Thank you.

2 COMMISSIONER REW: Thank you. Soren, did
3 we call all the names of people that had filled out
4 cards?

5 MR. ALEXANIAN: Yes, we did.

6 COMMISSIONER REW: Is this gentleman one?

7 MR. CORDOVA: I was one of them. Steve
8 Cordova -- I'm on there.

9 MR. ALEXANIAN: Yes. He's the last.

10 COMMISSIONER REW: Oh, fine. Yes, sir.

11 MR. CORDOVA: I'll just take a moment.

12 It's really important that when I come down here or
13 when another person indicates that -- I don't want
14 to get into the Agenda, but I want to piggyback on
15 what he said.

16 We had four minutes today. I stuck to
17 four minutes to give other people a chance to talk.
18 Some of them went eight minutes. I could have
19 spoken eight minutes, but I chose to speak four. So
20 let's stick to that from now on.

21 Also, when I came down here, I solely
22 represent myself in my views of Marina del Rey, what
23 I want to see from Marina del Rey. Under ideal
24 circumstances, wouldn't it be nice if we had this
25 ideal Master Plan? But the County has leases. The

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1 lessee is responsible for developing a parcel. It's
2 not the people. I'm not reaching in my pocket
3 saying, "This is what I want to develop." I don't
4 have the money to develop a parcel. I wish I did.
5 I'd love to be able to do that.

6 So we have several different lessees that
7 the County has given these leases to and said "Go
8 ahead and develop this. Develop this in the best
9 interest." Now the best interest is -- that's
10 subjective. One person says the best interest is a
11 hotel. Another person says a park. So, yeah, there
12 needs to be a fair balance.

13 Wouldn't it be nice if all of those
14 developers -- the County says, "Okay, all of you
15 developers get together for all your parcels and
16 come up with one plan." It doesn't work that way.
17 It's free enterprise; what the market will bear.
18 Who has the money to get the lease to be able to put
19 together a project.

20 And that's what's happening now. And it
21 is piecemeal, and that's the way it's going to have
22 to be unless somebody comes up with another plan.
23 And the only way to do that is to get all the

24 developers together in the Marina -- all the lessees
25 and say, "What do you want to develop?" and let's

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1 pick the very best ones. The very best for who --
2 for whom?

3 I don't know how you're going to do that,
4 so though that's an ideal world; that would be nice.
5 That's not going to happen. So Goldrich & Kest
6 Partners have developed several things in Marina del
7 Rey. In my opinion, and this is only my opinion,
8 they've done some very nice projects, and they've
9 been good neighbors, and they've been considerate of
10 their neighbors during development. Thank you.

11 COMMISSIONER REW: Thank you. Is that it?

12 MR. ALEXANIAN: Mr. Gottlieb will be last.

13 DR. GOTTLIEB: Okay. Now I want to talk
14 about Parcel A parking lot. This is not on any
15 agenda.

16 COMMISSIONER REW: It's not on --

17 MR. HAFETZ: It's not on one.

18 COMMISSIONER REW: Okay.

19 DR. GOTTLIEB: Is that okay?

20 COMMISSIONER REW: Yes, sir.

21 DR. GOTTLIEB: Thank you. Okay. I have
22 four pieces of paper that I'd like to submit. And
23 the first one is a letter to Mike Tripp, in which I
24 describe what the paper is.

25 The first piece of paper is a map -- map

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1 colors of parcels. You can see Parcel A sticking
2 out here. Parcel A doesn't seem to appear on most
3 of the maps that have been produced by Beaches and
4 Harbors recently. Parcel A we can see in the next
5 one is Parking Lot 14, and its address -- 4601 -- is
6 the same as Parking Lot 13, also 4601 Via Marina.
7 So the parcel has the same -- the -- the parking lot
8 has the same address as another parking lot.

9 And then we look at the newly created
10 Right-sizing Program, and they (inaudible) almost
11 all the parking lots, I guess, and they missed this

12 Parking Lot A.

13 Now, Parking Lot A is the most popular
14 parking lot because it's not expensive. You can go
15 there and put 25 cents in -- 50 cents. And
16 sometimes it's totally crowded on days when you can
17 see the snow on the mountains, or when there's a
18 whale in the -- in the Channel, or when there's a
19 crew event or a sailing event, or just on any nice
20 day. You can walk out to the breakwater jetty, or
21 you can go up the Ballona Creek Trail. So it's a
22 very, very effective parking lot for tourists and
23 sightseers.

24 And my theory is, is that this omission
25 wasn't an accident. At some point, someone wants to

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1 make an argument to you that they should be able to
2 wipe out the views of the mountains by putting up
3 five or six-story buildings. I hope you'll be aware
4 of that when that comes up.

5 In fact, the last one is a map, in which

6 those parking lots and -- it talks about Lot 13, 406
7 -- 4601 Via Marina, and it includes the missing
8 parking lot. The missing parking lot has 60 spaces
9 in it. You can see from the List 4 that they're
10 only talking about 140, but they're including the
11 two -- there should be 200. But this --

12 COMMISSIONER REW: Dr. Gottlieb?

13 DR. GOTTLIEB: Yes.

14 COMMISSIONER REW: Your three minutes have
15 expired. You can submit that. Make sure all other
16 Commissioners get a copy of what he's submitting,
17 and make sure the Commissioners that had to leave
18 get a copy of the tapes of the public comment
19 period.

20 DR. GOTTLIEB: Okay, thank you. Thank you
21 very much.

22

23 (Meeting adjourned at 1:15 p.m.)

24

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(End of recorded proceeding.)

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Transcript of the December 16, 2009 Hearing

APPENDIX L

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TRANSCRIPTION OF PROCEEDINGS
Los Angeles County Regional Planning Commission
December 16, 2009
Agenda Items 7 and 8

25 Transcribed 1/18/10 by Amy R. Kuramoto, CSR 10157

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COMMISSIONER BELLAMY: I'd like to call up
Agenda Item No. 7 and 8.

MR. TRIPP: Good morning, Commissioners. My
name is Michael Tripp, and I work in the special project
section.

Before I begin my presentation of the items on
today's agenda, I would like to mention that I have
received one additional e-mail regarding price control
in the marina. A copy of that e-mail has been provided
to you.

Your commission originally held a public
hearing on the proposed projects on October 21st, 2009.
At that public hearing, your commission heard the staff
presentation and testimony from project applicants and
interested members of the public. The hearing was
continued to February 10th, 2010, to allow the
applicants and staff time to address issues raised by
the commission and the public and so that the proposed
projects could be heard sequentially with other projects
in the marina.

Prior to that hearing, the project applicants
and the Department of Beaches and Harbors sent a letter
to the Department of Regional Planning requesting that

1 the hearing date be moved forward.

2 Your commission considered the letter as a
3 discussion item on November 4th, 2009, and voted to
4 change the continued hearing date to December 16th,
5 2009.

6 Staff's response to those comments and
7 questions raised at the October 21st hearing was
8 provided to your commission on December 3rd, 2009.

9 I will now give a brief summary of the projects
10 on today's agenda and a summary of the issues raised.

11 Agenda Item 7 is Project R2006-01510. The
12 applicant, MDR Oceana LLC, is proposing to demolish an
13 existing 186-space public parking lot to construct a new
14 building which would contain a 114-unit senior
15 accommodations facility, 5,000 square feet of retail
16 uses, and a 157-space parking garage. Ninety-two spaces
17 in the proposed structure would be retained for public
18 parking.

19 The proposed development would require a plan
20 amendment, a coastal development permit, a conditional
21 use permit, and a parking permit.

22 The project was determined to have potential
23 significant impacts to the environment and a draft
24 environmental impact report was prepared in accordance
25 with the procedures and guidelines of the California

1 Environmental Quality Act.

2 The draft EIR determined that potential noise
3 impacts for the balconies facing Washington Boulevard
4 and Admiralty Way cannot be reduced to levels of
5 insignificance through the implementation of mitigation
6 measures.

7 The draft EIR also found that when the project
8 is viewed cumulatively with other projects in the area,
9 significant and unavoidable impacts related to visual
10 quality and traffic would occur.

11 Agenda Item 8 is Project R2006-02726. The
12 applicant, Holiday-Panay Way LP, is proposing to
13 demolish an existing commercial center and to construct
14 a 29,348 square foot commercial center on the western
15 side of the parcel, a little parking structure
16 containing 447 spaces located on the eastern portion of
17 the parcel, and a 28-foot-wide pedestrian promenade
18 along the entire bulkhead of Marina Del Rey Parcel 21.

19 The proposed development would require a plan
20 amendment, a coastal development permit, a conditional
21 use permit, and a parking permit.

22 The project was determined to have potential
23 significant impacts to the environment, and a draft
24 environmental impact report was prepared in accordance
25 with the procedures and guidelines of the California

1 Environmental Quality Act.

2 A draft EIR determined that potential visual
3 quality cannot be reduced to levels of insignificance
4 through implementation of mitigation measures either at
5 the project level or when viewed cumulatively.

6 The draft EIR also found that when the project
7 is viewed cumulatively with other projects in the area,
8 significant and unavoidable regulated impacts of traffic
9 would occur.

10 If there are no questions, I will now begin my
11 summary on some of the issues that were raised at the
12 previous hearing.

13 COMMISSIONER BELLAMY: Questions?

14 COMMISSIONER VALADEZ: Just for clarification,
15 we'll hear staff's responses and then the rebuttal
16 because I don't think we've had a rebuttal on this; am I
17 right? Is that where we're at?

18 MR. TRIPP: That is what we're planning to do,
19 to give the applicants a chance to answer some of the
20 questions that came up as well.

21 COMMISSIONER VALADEZ: Okay. So we did not
22 have a rebuttal when we were in the last session, I
23 believe, and then --

24 MR. TRIPP: Correct.

25 COMMISSIONER VALADEZ: So you're discussing

1 staff's responses and then the applicant will then
2 discuss their responses?

3 MR. TRIPP: That is correct.

4 COMMISSIONER VALADEZ: Thank you.

5 MR. TRIPP: You're welcome.

6 If you could actually rotate the slide
7 counterclockwise for me, please.

8 This is a slide of Marina Del Rey, which
9 shows -- and you'll see on the northern portion, that's
10 Parcel OT where the senior facility is proposed and,
11 south of that, Project 21 where the commercial facility,
12 which will include public parking spaces from OT, is
13 proposed to be built.

14 The staff summary that was provided to your
15 commission on December 3rd addressed 11 separate
16 statements and questions that were raised at the October
17 hearing. There are two issues that I would like to go
18 into more detail on in this presentation.

19 First, I would like to address the height of
20 the senior project proposed for Parcel OT.

21 Can I have the next slide, please?

22 The proposed structure will be 67 feet tall on
23 the Admiralty Way side and 75 feet tall on the
24 Washington Boulevard side.

25 Can I have the next slide?

1 The slide depicts the proposed facility, which
2 is four levels over a lounge and a parking garage on the
3 Admiralty Way side and four levels over a parking garage
4 and retail component on the Washington Boulevard side.

5 Can I have the next slide?

6 This slide depicts some other structures in the
7 area. If you look just north of Parcel OT, which is
8 located near the center of the slide, you see one- and
9 two-story single-family residences in the city of Los
10 Angeles; to the east and south are the Marina Towers,
11 which are between 172 and 182 feet tall; to the east is
12 the Ritz-Carlton, which is 166 feet tall; to the south
13 is a restaurant called The Organic Panificio and the
14 Fantasy Yachts building, which is approximately two
15 stories tall.

16 Directly to the west of the project is the
17 Marina International Hotel, which is 40 feet tall and
18 the Villas on Admiralty Way, which are 73 feet tall.
19 And the furthest western building that you see here is
20 the Marriot, which is 152 feet tall.

21 The other issue that I would like to address is
22 the proposed parking requirements for the facility
23 that's proposed on Parcel OT.

24 A new land use is being proposed that is not
25 currently covered by the Marina Del Rey local coastal

1 program. The facility will be limited to seniors 65 and
2 older, and the individual units will not have kitchens
3 like a traditional apartment complex; rather, there will
4 be a central kitchen.

5 The residents can choose to eat in a dining
6 hall or have room service delivered to their room,
7 similar to a hotel.

8 A limousine service will be provided to the
9 residents, which will lessen the need for on-site
10 parking.

11 The proposed facility is similar to one called
12 Palm Court that the applicant developed in the city of
13 Culver City. A copy of the Culver City staff report has
14 been provided to you.

15 The Palm Court facility was developed with
16 100 units and has 35 parking spaces for a rate of .36
17 spaces per unit. The same ration that the applicant
18 would like to use -- this is the same ratio that the
19 applicant would like to use for the Marina Del Rey
20 facility, which is to have 43 spaces dedicated to the
21 114-unit senior accommodations facility as well as
22 22 additional spaces for the retail component and 92
23 public parking spaces.

24 I am now available for any questions you may
25 have.

1 COMMISSIONER BELLAMY: Questions to staff?

2 COMMISSIONER REW: Mr. Tripp, you say the
3 Culver City document was provided to us. Where did you
4 get it?

5 MR. TRIPP: I got it from the City of Culver
6 City. They e-mailed it to me this morning.

7 COMMISSIONER REW: And it's dated 1988?

8 MR. TRIPP: Yes.

9 COMMISSIONER REW: They have not updated it?

10 MR. TRIPP: That's a staff report. That's when
11 the project was approved, was in 1988. That's not a
12 zoning ordinance. That is the staff report for that
13 specific project.

14 COMMISSIONER REW: All right. Do they have an
15 ordinance that agrees with the staff report from 1988?

16 MR. TRIPP: A plan amendment was involved with
17 this project, and like you, I just read this today.

18 For congregate care housing, they have a .5
19 ratio. So they consider this facility different than a
20 a traditional congregate care house.

21 And if you read the staff report, part of the
22 justification that they had for giving the smaller
23 parking ratio was that they weren't going to allow
24 kitchens in the units.

25 COMMISSIONER REW: They weren't going to allow

1 kitchens?

2 MR. TRIPP: Right. Yeah.

3 COMMISSIONER REW: If they allowed kitchens,
4 they'd need more parking? I --

5 MR. TRIPP: That's the justification that they
6 gave in the staff report. The Planning Commission
7 considered whether to allow things like microwave ovens
8 or full kitchens inside the units. And as far as I can
9 tell looking at that report, they determined that they
10 would not allow those things; and as that is
11 justification, they didn't think that they would require
12 as much parking as, say, a residential complex for a
13 typical apartment.

14 COMMISSIONER REW: Okay. The Culver City
15 project, have you visited it?

16 MR. TRIPP: No, I have not visited it. I do
17 plan to go there tomorrow.

18 COMMISSIONER REW: Do they have a retail
19 complex also as part of it?

20 MR. TRIPP: I didn't see one in the staff
21 report, and I'm not certain. I would like to have the
22 applicant answer those kinds of specific questions on
23 that facility. I'm not that familiar with it except for
24 what I saw in the staff report.

25 COMMISSIONER REW: You feel the applicant would

1 be more knowledgeable about the Culver City project?

2 MR. TRIPP: Yes. The applicant developed that
3 Culver City facility. It's the same one who wants to
4 develop this one. He's basing this one on that.

5 COMMISSIONER REW: Okay. Thank you.

6 COMMISSIONER VALADEZ: I would like for kind of
7 clarification with respect to Culver City's ordinance,
8 this particular use was actually initiated before Culver
9 City had an ordinance. At the time that they initiated
10 this use, similar to what we're looking at now, there
11 wasn't an ordinance for congregate care.

12 Since then, based on their experience with
13 congregate care, they've developed an ordinance. So it
14 isn't that somehow they were exempting this from an
15 ordinance that they had. They didn't have one at that
16 point, similar to us, that we don't have one right now
17 either. So this is not a precedent for the ordinance
18 that they later actually initiated and had approved.

19 COMMISSIONER BELLAMY: Further comment?

20 COMMISSIONER HELSLEY: Mr. Chairman, first off,
21 let me say that I have arranged with staff to visit the
22 facility tomorrow at 10:00 o'clock. So I need to put
23 that out so that people are aware that I will be
24 visiting the Culver City facility with staff. Not by
25 myself.

1 I spent two hours yesterday -- I need to let
2 you know -- about two and a half hours, walking this
3 area, making sure I feel I understand the area and the
4 vicinity.

5 And I think that we have some concerns after
6 receiving the staff report from Culver City that I think
7 we need to still address, just out front. And we'll
8 talk more about that a little later on.

9 COMMISSIONER BELLAMY: Thank you.

10 Now, are we going to at this point in time
11 allow the applicant to rebuttal?

12 COMMISSIONER VALADEZ: Yes.

13 COMMISSIONER BELLAMY: Okay.

14 MR. HAFETZ: Mr. Chair, I think that how it
15 ended at the last hearing was that the applicant had a
16 chance for rebuttal. I would add that since this is an
17 agenda item and while the public hearing is still open,
18 there are people here to testify and they would have the
19 right to do so after.

20 COMMISSIONER BELLAMY: We know.

21 COMMISSIONER MADUGNO: Mr. Chairman, just for
22 clarification, it was understood the applicant would
23 rebut here; but there's going to be additional speakers.
24 If we allow those speakers, then does the applicant have
25 a rebuttal after the rebuttal, or would it be preferable

1 to have the other speakers and then just have the
2 applicant do a single rebuttal at the end? Because
3 they're going to make rebuttal in terms of comments from
4 the last hearing and any updates.

5 COMMISSIONER VALADEZ: Just as a procedural
6 thing, I believe that when -- because we have this
7 situation where rebuttal comes after -- in a new
8 hearing, that we've allowed persons to speak with regard
9 to the rebuttal; but normally, at the end of the
10 rebuttal, that would be it. People could not comment on
11 it. But because of the Brown Act, we have to allow them
12 to comment on it, but we would not then come back and do
13 rebuttal again, I don't believe. Does that seem --

14 MR. HAFETZ: That's correct. I mean, you know,
15 this spanned two different dates, and I think what we
16 ask the applicant is to rebut from what was testified to
17 before. The speakers will have a chance to testify
18 again, and then I don't believe -- there's no --
19 procedurally, the applicant doesn't get another
20 rebuttal, unless there's some questions that this
21 commission has as it relates to anything new.

22 I mean, my sense is that we would be guiding
23 the testifiers to not restate what they've already
24 testified to in the past. And if the commission had any
25 further questions of the applicant after the new

1 testimony, then the commission could so direct the
2 applicant to respond.

3 COMMISSIONER HELSLEY: Mr. Chairman, I would
4 like us to follow what we might call as -- we've had a
5 staff report bringing us up-to-date. I think that there
6 is a situation where if the applicant has some material,
7 new material, to bring us up-to-date, I think that has
8 value for us to hear. And then we have the public make
9 their comments and then let the applicant rebut at the
10 end of that period of time so that we basically have
11 what I would consider a sequence of information coming
12 in. This is, I think, a moving target and I think it
13 does not follow our normal hearing process.

14 COMMISSIONER MADUGNO: Mr. Chair, just to
15 clarify, it is within your commission's discretion to
16 set the rules, as Mr. Helsley just said, if that's what
17 the commission so desires.

18 COMMISSIONER BELLAMY: I believe at the last
19 hearing we told the applicant that we were going to
20 allow them to rebut statements that were made at that
21 hearing. I would much rather do that now, give them
22 that opportunity.

23 Thank you.

24 UNIDENTIFIED MALE SPEAKER: All right. In that
25 case, I would like to call on the applicant, Mr. Frank

1 Hickman. Mr. Hickman, please come forward. And Sherman
2 Gardner. We also have Andi Culbertson.

3 MS. CULBERTSON: Good morning, Mr. Chairman,
4 members of the commission. I'm Andi Culbertson on
5 behalf of the Department of Beaches and Harbors, County
6 of Los Angeles. And we are co-applicants on this, and
7 we are the only applicant for the LCP amendment for
8 Parcel OT because under state law, only the County can
9 apply for an LCP amendment.

10 I've been listening very carefully and the
11 department has been listening very carefully to the
12 concerns expressed by the commission. And we prepared a
13 presentation that I hope will answer some of your --
14 satisfy your curiosity on some of the questions that
15 you've already presented and then anticipate perhaps
16 what you would like to hear in your further
17 deliberations.

18 So on behalf of the department, I would like to
19 offer some brief remarks on the issues. I would also
20 like to give you a historical perspective of what we in
21 the department try to do when we negotiate on behalf of
22 the County of Los Angeles on publicly held land.

23 As was reported at your meeting of
24 December 2nd, when we came before you to discuss
25 off-street parking for public, there is extremely low

1 utilization of the parking in Marina Del Rey. And as a
2 planner, I was curious, when I first started working in
3 Marina Del Rey, as to why this might be, because
4 L.A. County is certainly populous and it's astonishing
5 how little the parking is used.

6 I'll give you a quick example. On Parcel OT
7 this last Fourth of July weekend, there were never more
8 than 89 spaces -- and that was at 8:00 P.M., Fourth of
9 July night for fireworks -- never more than 89 spaces
10 used out of Parcel OT, which is 186 spaces total.
11 That's amazing, because the Fourth of July presentation
12 of fireworks is extremely popular in Marina Del Rey.

13 And this parking lot, while it's a little
14 difficult because of the speeds along Washington
15 Boulevard and Admiralty to negotiate it if you don't
16 know exactly where it is, as Commissioner Helsley found
17 one day, it is certainly open and notorious. So only
18 89 spaces and, as you know from Mr. Tripp's
19 presentation, that 92 spaces for the public will be
20 retained in this facility. So I'm very confident that
21 the spaces are not being displaced unnecessarily.

22 It's nothing new to find this underutilization
23 of parking. As a matter of fact, when I studied the
24 historical record for the LCP amendment, the last time
25 the County of Los Angeles reconsidered its LCP in Marina

1 Del Rey, this is what I found. I found that the County
2 itself had reported the underutilization of the parking
3 lot for Parcel OT and Parcel FF.

4 You might recall Parcel FF from -- oh, Michael
5 might have to help me, but it was a few months ago you
6 had the nine ten FF, the hotel and apartment project.
7 There were two -- only two parking lots at that time
8 that the County and the Coastal Commission agreed had
9 sufficient data to show they were so woefully
10 underutilized that they would be allowed to transition
11 to a new form of development.

12 Even the Coastal Commission acknowledged that
13 that development would probably be residential. In this
14 case, OT is a very unique kind of facility, not just an
15 ordinary apartment project.

16 Now, when I came and looked at the historical
17 record, I found, much to my surprise, that no one has
18 ever planned the parking lots in Marina Del Rey. In
19 spite of the fact that the harbor was built in the '60s,
20 no one has given any critical thought to where these
21 parking lots ought to be, how many spaces ought to be in
22 them, and if they're co-located now and in the long term
23 for the facilities that the public most wants to visit.

24 That's what the department undertook and
25 published in 2009 and brought to your commission on

1 December 2nd. It is the first and only comprehensive
2 evaluation of parking in Marina Del Rey and what it
3 should be and the disparity between the number of spaces
4 that are available in Marina Del Rey now and what is
5 needed up to the year 2030, counting ambient growth,
6 counting the new attractive public facilities, and
7 counting a buffer -- you know, a 90th percentile parking
8 with a buffer of extra spaces so that people don't
9 circulate for that very last parking space.

10 We have a substantial reduction in parking. We
11 are not undertaking that right now. We are taking of
12 that parking issue up in only a few cases. And then
13 when we return in five years with the visioning process
14 that will be undertaken by the Department of Regional
15 Planning, it will be at that time that the horizon
16 parking analysis will be done and what is the right size
17 for Marina Del Rey in perpetuity.

18 Now, when the department set out -- received
19 this information in concurrence from the Coastal
20 Commission on OT and FF being underutilized, we set out
21 to try to find out what would be the win/win situation
22 for the County on a development. And we are --

23 I think the department negotiates fairly
24 aggressively on behalf of the County, and the target is
25 always to bring public benefits with each project, even

1 though it's the County's land and it's an arm's length
2 transaction with a potential lessee. Let's just say
3 we're always looking for opportunities to get more for
4 our efforts. And this was no different.

5 What we did with OT was, when the proposal was
6 made, the proposal for the County was made through the
7 RFP process, which was actually three original parcels
8 which were subject to RFP, and then the developers fell
9 out of two of them. This one was left standing. The
10 idea was how can we -- how can we create a symbiotic
11 effect for the benefit of the County to have more public
12 benefits out of both this Parcel OT as well as the other
13 parcel associated in the CIR, Parcel 21.

14 And here's what we did. We looked first about
15 where parking would really need to be, and we knew that
16 this particular lessee, who wanted to enter into yet
17 another lease with the County, had a leasehold on Panay
18 Way: several leaseholds.

19 So we wanted to increase our public parking lot
20 known as GR, which is the primary parking lot serving
21 Mother's Beach, together with Parcel IR.

22 We increased -- so in connection with this
23 transaction on OT, we required that the lessee surrender
24 a portion of the lease on Parcel 21 for public parking.
25 This will accommodate -- we haven't striked it all out

1 yet, but it's about 100 parking spaces added to a county
2 public parking lot. Now, this is in addition to the 92
3 spaces accommodated in OT and a brand-new public parking
4 accommodation on 21 to the extent of 94 spaces.

5 So in a very real sense, Mother's Beach, the
6 Panay side of Mother's Beach, where Cheesecake Factory
7 is and where you have the children's play equipment in
8 the park, is going to in the end result get around 194
9 more public parking spaces on that side. So instead of
10 having parking spaces lie idle at OT, we actually use
11 this as a win/win situation to get more parking where we
12 thought it ought to be, where Marina Beach is and where
13 people like to get off that busy roadway, Admiralty,
14 come onto a quieter Via Marina/Panay and put parking
15 there.

16 Now, we didn't stop there. We knew that Public
17 Works and the County at county expense were going to
18 undertake a restoration of the Oxford Basin area. You
19 know the Oxford Basin, the flood control basin. We
20 wanted to make sure that we had a link, a pedestrian
21 link, between Washington Boulevard and Admiralty.

22 And so what we did is we increased the size of
23 OT down to the fence of the flood control basin, of
24 Oxford Basin, and we imposed upon this lessee, at no
25 expense to the County, to install a meandering public

1 pathway and landscaping.

2 We have a lot of trouble with the -- we didn't
3 do a bikeway because we have trouble with the bikeway
4 coming off Washington Boulevard into Admiralty Park or,
5 excuse me, Burke Park. We have trouble with that
6 because there's a mixture of pedestrians and bicyclists.
7 And it's a little bit scary when they come around
8 quickly.

9 So we wanted to have an opportunity for people
10 from Venice and Marina Del Rey to exchange between the
11 two areas, and it is going to be through this parcel,
12 installed at no expense to the County under County
13 direction, subject to the approval of the department,
14 your commission, and Public Works who operate the Oxford
15 Basin.

16 Now, I'm impressed that we -- you know, what
17 impressed me about the way the County had negotiated
18 this project is, in addition to getting the additional
19 leasehold back, which we restored to public parking
20 rather than additional land use intensity, we didn't
21 lose a single parking space that's provided on OT. We
22 just moved it around so that it would be used better.

23 At the hearing -- in terms of the land use for
24 OT, which is active seniors accommodation, that's a
25 brand-new land use category for Marina Del Rey. And it

1 recognizes the changing needs of our aging population.

2 In our society I don't think it's news to
3 anyone that things have changed for the elderly and that
4 it is very important to provide them a facility -- in
5 some cases, find a range, and this is the top end of the
6 range -- where you provide a facility that people feel
7 they're almost in a resort environment when they were
8 living.

9 And I did visit Palm Court yesterday and I
10 spent about an hour and a half there, and I reviewed the
11 parking. Without them knowing I was there, I went down
12 and I looked at the resident parking. There are 102
13 units at the facility. There are 100 residents and
14 there are eight cars. Eight.

15 Now, when I went down to the resident facility,
16 there were actually ten there. Two looked like -- they
17 were covered up, and they looked like some very nice
18 classic automobiles. So if anybody's a good classic car
19 buff, you know, you might want to approach some people
20 about those because they looked like American classic
21 cars.

22 But, basically, that facility was very
23 welcoming. It was very low key. The amenities are so
24 significant. They have two Lincoln Town Cars and then a
25 regular passenger van for group outings, and at the drop

1 of a hat, seven days a week, you can be taken anywhere
2 you want to go. So even the people that move in with a
3 car, I'm told by the manager, usually just sell it
4 over time because they don't need it. They get taken
5 everywhere they want to go in a Lincoln Town Car.

6 The youngest person in the facility is 70 years
7 old. There are several people over 100 in the facility.
8 And most of the people looked to be maybe in their mid
9 to late 80s. They appreciate the convenience.

10 I think the advantage of Marina Del Rey over
11 the site in Culver City is that -- and I stayed here
12 last night in Marina Del Rey and walked as a resident of
13 the OT facility might. I walked around Marina Del Rey.
14 It was so easy to get to the beach. There were kids
15 playing on the beach with their mothers and things like
16 that. It was very easy to do.

17 And I can't believe that that wouldn't be an
18 appropriate land use here. It's neither an apartment
19 nor a hotel, but it combines a very good mix of land use
20 with very low impact development in Marina Del Rey
21 compared to what we usually do.

22 I hope you can see by this presentation that we
23 do some serious thinking about what we bring to the
24 County when we do these developments. They aren't
25 ordinary developments, and we are not simply

1 profit-motivated. We are looking for bringing public
2 benefits with each of our leaseholds.

3 You saw that with the wetland park and the
4 hotel and the new public marina at Parcel 9 a few months
5 ago. We tried to make it a win/win. We tried to bring
6 one more -- one, two, or more public benefits to the
7 County, and in this way we are slowly, but surely,
8 rearranging the development paradigm in Marina Del Rey.

9 Now, in terms of rebuttal, I don't know that I
10 want to call it rebuttal, but I did want to take a few
11 more minutes of the commission's time to describe the
12 map and text amendment. I'm the manager for the map and
13 text amendment, as the consulting manager.

14 It's been argued that this is premature to --
15 pardon me.

16 COMMISSIONER HELSLEY: Just a minute, if I
17 might.

18 Mr. Chairman, I would like to request that
19 the --

20 (Indiscernible conversation.)

21 COMMISSIONER HELSLEY: Yes. Thank you.

22 I would like to request that the material that
23 has been previously -- has been given is a staff report
24 and not part of the rebuttal time, if they should need
25 more rebuttal time.

1 COMMISSIONER BELLAMY: I'm not sure what you're
2 saying.

3 COMMISSIONER HELSLEY: The length of time that
4 she took to explain what was going on and the routine is
5 more of a staff report from a county agency. She was
6 representing parks -- beaches and parks. And if they
7 need more time for rebuttal, that that be allowed.

8 MS. CULBERTSON: Thank you, Mr. Chairman.

9 COMMISSIONER BELLAMY: A little over a minute
10 left.

11 MS. CULBERTSON: All right. The map and text
12 amendment -- this project is now prematurely before you.
13 The Board of Supervisors has indicated that the map and
14 text -- all of the LCP amendments that the County is
15 proposing will be moving to the Coastal Commission
16 together and through the Board together. It's worth
17 considering this. We don't believe it's premature to
18 think about this.

19 In closing, I'd like to call your attention to
20 the testimony of former councilwoman Ruth Galanter, who
21 appeared before your commission as a former member of
22 the City Council of Los Angeles; but the way I know her
23 is as a coastal commissioner.

24 And I believe that she has been very
25 knowledgeable regarding senior housing in this area, and

1 I believe that her testimony should be given great
2 weight in terms of the Marina Del Rey area, because it
3 is so accessible with its promenades to the elderly and
4 to all people, and there isn't much more of a perfect
5 place to put a project like this than a Parcel OT.

6 And I thank you for your attention.

7 COMMISSIONER BELLAMY: Thank you.

8 MR. GARDNER: Good morning, Commissioners and
9 staff. My name is Sherman Gardner, the applicant for OT
10 and 21.

11 You will recall on October 21st, when we were
12 before you, we made a lengthy presentation. We're here.
13 Our design team is here. Our development people are
14 here, architect, EIR people, traffic people, to answer
15 any question that you do have. I also want to at this
16 time thank staff. They have done an outstanding job.
17 This is a new category, as Mrs. Culbertson had
18 indicated, to Marina Del Rey, and they spent a lot of
19 time looking into this development for us.

20 I also want to mention about Ruth Galanter.
21 Unfortunately, she wanted to be here today. She could
22 not. Time did not permit her to be here; but her thrust
23 has always been that of senior housing, and she is
24 hoping that you will see favorably that a project of
25 this nature be built in Marina Del Rey.

1 It is true. We do own Palm Court. We
2 developed it -- opened up in 1991. The average age then
3 was about 70. Now it's late 80s.

4 But the whole key to this development is that
5 between 75 and 80 percent of this development is what we
6 call services. The other 25 percent is real estate. So
7 the essence of this development really is to take care
8 of the needs of residents; in particular, seniors who
9 have worked hard all their life and now it's time for
10 them to enjoy some of those fruits.

11 And we feel that certainly the activities that
12 we have for them, places we take them, and certainly the
13 limousine service, if you will, that's what we use to
14 move our residents around and they seem to enjoy this
15 kind of thing.

16 And it's true that in our garage, it's -- you
17 can kind of shoot a cannon through it, but the parking
18 is there in any event. This is what this development is
19 about.

20 Also, it does not have kitchens. It's central
21 dining. The residents -- it's inclusive in their
22 monthly amount, and they're served three-plus meals a
23 day, many snacks, et cetera. So it's really an
24 extension, if you will, of their home. It's almost like
25 living in a hotel for them. They could pick up the

1 phone, get a cup of coffee whenever they so desire.

2 That's the kind of operation that we aspire to in

3 developments like this and wish upon our seniors.

4 So with that thought in mind, again, our design

5 people are here. Any questions that you would like from

6 us, we're happy to answer.

7 And I know that Commissioner Helsley was

8 concerned about the parking. We just want you to know

9 again that we would never shirk our responsibility in

10 relation to parking for the residents of Marina Del Rey.

11 We're replacing one for one, the 186 parking spaces that

12 are being replaced. We feel that the parking spaces

13 that are being moved to Parcel 21 is more beneficial to

14 mothers and children who are going to play at Mother's

15 Beach. They don't have to cross Admiralty Way. So as

16 Mrs. Culbertson said, we feel this is really a win/win

17 situation.

18 And we certainly have taken into account the

19 retail aspect of the development. You asked whether or

20 not Palm Court had a retail component. It does not, but

21 it does have, which is almost contiguous, a board and

22 care facility that is again contiguous to that

23 development. So two different -- two completely

24 different kinds of developments.

25 But in any event, the development we're talking

1 about in Marina Del Rey is really all about services,
2 and we think that that is what Marina Del Rey at this
3 point in time needs.

4 So with that, we're happy to answer any
5 questions that you may have.

6 COMMISSIONER BELLAMY: Thank you.

7 Questions?

8 COMMISSIONER REW: Mr. Chairman?

9 COMMISSIONER BELLAMY: Yes.

10 COMMISSIONER REW: The Culver City facility,
11 are there any two-bedroom units?

12 MR. GARDNER: There are.

13 COMMISSIONER REW: How many?

14 MR. GARDNER: I think there may be 16 or so two
15 bedrooms, as I recall.

16 COMMISSIONER REW: And are there any that are
17 set aside for low to moderate --

18 MR. GARDNER: There are not. The low and
19 moderate income phase is at the Royale next to this
20 development.

21 COMMISSIONER REW: So the rentals are all
22 market rate rentals?

23 MR. GARDNER: All totally market rate, correct.

24 COMMISSIONER REW: As in your proposal for the
25 marina, it's the same?

1 MR. GARDNER: As is in the marina development.

2 COMMISSIONER REW: Thank you.

3 COMMISSIONER VALADEZ: With respect to your
4 services, et cetera, first, what is the age restriction
5 that you're going to be enforcing at the project?

6 MR. GARDNER: Well, we were hoping that it
7 would be 55. Certainly, in other developments we found
8 throughout, we found that the age for developments of
9 this nature was somewhere around 55; however, I think
10 that you had mentioned 65. We would like to think in
11 terms of perhaps 62. But if your condition is that no
12 one reside there who's under the age of 65, we would
13 abide by that.

14 As Mrs. Culbertson mentioned before, the aging
15 population -- people are living longer. They're
16 healthier. There's a major thrust. So we would
17 certainly abide by that if that was a condition.

18 We found that at Palm Court initially coming
19 in, because it was new -- now there are other
20 developments, I'm sure, throughout California similar to
21 this. I'm not sure they provide as many services that
22 we do, but I think their age is a bit younger. But
23 again, Palm Court, with 70 -- now those people being
24 there 20 years have -- it's 20 years older. So they're
25 in their 80s and 90s, and I think there's one or two

1 people that are 100. But if the age of 65 -- we will
2 abide by that.

3 COMMISSIONER VALADEZ: Okay. Where do you
4 intend that your employees and your visitors are going
5 to park?

6 MR. GARDNER: Well, we also have taken into
7 consideration that in the 42 spaces -- that certainly
8 that is for visitors and for staff, but let me just say
9 some -- maybe this --

10 See, there's a very warm spot in my heart for
11 seniors. And the unfortunate part about it is, for
12 whatever reason, we find very few visitors who come to
13 see people that are in our facilities. Why? I don't
14 know.

15 But the issue in regard to employees, it's at a
16 main thoroughfare. Essentially, it's Overland and
17 Washington. Here in the marina it's Washington. The
18 majority of the people who do work there take bus
19 transportation. They're of that situation whereby they
20 use public transportation. So the area -- the issue of
21 parking has just never been an issue for us in regard to
22 that.

23 COMMISSIONER VALADEZ: Okay. You indicate --
24 can you tell me what's included in your base fee, what
25 you are planning on including, what services are in the

1 base fee?

2 MR. GARDNER: Sure. Aside from -- I guess the
3 main thrust is that of the food. But all maid service,
4 all transportation, if you will, snacks, outings. We
5 try to take our residents to various events that they
6 feel -- that they would be interested in. We have a
7 social director that comes in from time to time and
8 plans these various events. All that is free.

9 There is absolutely no additional charge for a
10 resident if he eats two meals a day or three meals a day
11 or five meals a day. There's always food available.
12 There's snack bars on all the various floors. And
13 that's part and parcel of the package. So there is no
14 additional expense that they incur aside from their
15 initial monthly fee.

16 COMMISSIONER VALADEZ: Okay. I had asked a
17 question, I believe, at our last meeting with regard to
18 the senior parking access and also the senior parking
19 security --

20 MR. GARDNER: I'm sorry?

21 COMMISSIONER VALADEZ: -- for the seniors.

22 I had asked questions with regard to the senior
23 center parking and the senior center parking access, and
24 I asked to be shown how the stairwells worked with
25 respect to having independent stairwells, especially on

1 the second level, first level parking, so there was no
2 cross-use of stairwells, et cetera, between public and
3 senior use. And I did not receive anything back with
4 respect to that request.

5 In addition, I'm concerned -- and maybe your
6 architect can address -- looking at the plans, I have no
7 idea how the seniors on the first level with the retail
8 are going to get to the second level to be able to
9 access their unit unless they walk outside or -- and
10 then they only have one elevator on the first level,
11 which means that that elevator is also accessible to the
12 retail.

13 So I'm concerned about your design with regard
14 to parking and safety for the seniors. So that was
15 something that I had asked about last time and didn't
16 receive any response to.

17 MR. GARDNER: I'm sorry. I did not -- our
18 architect is here certainly to answer that question.
19 She is also the architect that did Palm Court for us.
20 So I'm certain she can answer that question.

21 COMMISSIONER VALADEZ: I think -- yeah. And
22 it's a different situation here than Palm Court where
23 you're entering a lobby and you don't have this
24 situation where you have -- both levels of your parking
25 for the seniors have public-type access almost

1 immediately adjacent to them and their access points.
2 So it's a real concern that the seniors not be
3 interacting with the public or have any issues of
4 interacting with the public and their housing.

5 So those are two issues that I would still like
6 to see a response to in plan form. So if you could just
7 take that down and jot it down as an issue that I have
8 with regard to your design.

9 And then with respect to your commercial -- and
10 maybe we could just discuss this real briefly -- the
11 pedestrian uses -- in other words, you have a promenade
12 which I could not find any indication of how that
13 promenade was going to be enhanced to provide public
14 amenities, et cetera. I looked through everything that
15 I had, and I didn't find anything that dealt with that
16 promenade and its improvements for pedestrians.

17 And then I guess this is a combination of to
18 you and to staff. We have no landscape setbacks with
19 regard to the commercial.

20 MR. TRIPP: There's a five foot setback between
21 the promenade and the building on Parcel 21.

22 COMMISSIONER VALADEZ: Okay. And I did not
23 see -- no.

24 MR. TRIPP: Right. They're not requesting a
25 variance.

1 COMMISSIONER VALADEZ: No. I'm just -- I'm
2 asking about the setback requirement. I'm asking what
3 the improvements are there. We didn't see anything with
4 respect to that, and that's something that we really
5 need to see. We need to see the way in which the
6 project addresses pedestrian use.

7 In this particular area we have a large area
8 where there's a lot of boat viewing that could occur for
9 the public, et cetera. And I have concerns with respect
10 to that, kind of how it addresses it.

11 So those are just my comments for right now. I
12 still have some concerns about -- and maybe I'll ask
13 staff this question.

14 With regard to the addressing of this issue
15 that came up several times, we said this is not
16 residential. We don't consider this project to be
17 residential; and therefore, we don't trigger any of the
18 requirements that we have for affordable housing and the
19 Mello Act. Maybe you can elaborate on the record why --
20 because I didn't get a good feeling from the responses
21 that we got. We just said to people this isn't
22 residential; it doesn't trigger these things. But we
23 don't have the backup to that as to why. Why?

24 MR. HAFETZ: Sure. Commissioner Valdez,
25 Commissioners, this issue came up early on in the

1 project design phase when the applicant came to the
2 County. And I met with staff and looked at the Mello
3 Act and consulted others in my office regarding the
4 Mello Act compliance. We know that that has been an
5 issue of controversy in the marina, and so we wanted to
6 make sure that we were on solid ground here.

7 And our analysis -- yes, we believe we are, but
8 our analysis was and is that under the Mello Act and the
9 state fair housing laws, this does not -- these units do
10 not constitute, quote, dwelling units for purposes of
11 the Mello Act.

12 How did we reach that conclusion? There were
13 sort of two prongs to that analysis. The first is there
14 will not be kitchens. And I have consulted with staff.
15 I mean, I think, at most, there will be a sink area or
16 something and staff can address it particularly, but
17 there will be no kitchens, and that was one element of
18 our analysis.

19 The second, and maybe more importantly, is this
20 sort of combined rent or fee, whatever, that a person
21 pays which includes food and all sorts of other
22 services. In our view, that is not analogous to a
23 typical, quote, dwelling unit. The applicant is not
24 proposing to break out any of those fees such that any
25 resident or tenant could exempt themselves from the food

1 requirement. This is, in a sense, a one fee kind of a
2 place. And on those -- on the basis of those two
3 features of the project, we concluded that it was not a
4 dwelling unit for purposes of the Mello Act.

5 COMMISSIONER VALADEZ: Coming back to that, I
6 think that the confusion that occurs here may be one
7 also over the definition and the way in which we named
8 this particular new use. Because when we name it
9 "active senior housing" or "active senior facility,"
10 what most people think is independent living. And when
11 you think independent living, you immediately consider a
12 typical senior-type project, one in which, you know, the
13 seniors are in a dwelling unit. They live there and
14 they're independent of having the services or having to
15 pay for these services.

16 This type of use is more similar to the
17 congregate care model than it is to a senior independent
18 facility. So that I would suggest, just so that we go
19 forward, especially when other individuals are going to
20 be looking at this section and attempting to perhaps do
21 something similar, once we've done it in the county
22 once, we can say, okay, we have this particular section
23 and this is where you do it, that we would consider
24 changing this to congregate care for seniors. It makes
25 much more sense in terms of the definitions of what

1 we're doing here, especially where so many services are
2 being included.

3 Congregate care is not necessarily a nursing
4 home environment nor does it mean that you bring in any
5 kind of medical assistance, but it just talks about
6 providing things within your dwelling unit that you pay
7 for as services.

8 And that definition will then be able to be a
9 lot closer to something that the industry standard
10 considers. "Active senior" means independent living
11 without -- and by necessity, it also means you have your
12 dwelling unit and you are living in it and could trigger
13 some of these other types of requirements. And I would
14 not want us to have that even considered with regard to
15 this if that is our position.

16 And then I would want to make sure that these
17 requirements also go into the definition that we have.
18 If we are saying that it's tied to no kitchens and it is
19 tied to having food services included, then in the
20 definition that we have for here, we should say those
21 things which need to be included because of the
22 sensitivity that we have with the Mello Act here; if
23 there were ever to be another use through here, that we
24 would not have this issue come up. It would be in that
25 definition as to why it is that we want to be able to

1 exclude this from being a dwelling.

2 And this goes more than just a typical
3 dwelling, especially where you are paying for these
4 services as part of your monthly fee that you have. So
5 I would suggest that so that this becomes more clear.

6 MR. HAFETZ: That would -- Commissioner Valdez,
7 those comments are well-taken and that would all be very
8 appropriate in the final package that comes back to your
9 commission.

10 I just want to add one somewhat -- since I'm
11 already addressing some of these points, one of the
12 things that was raised about the senior we will, of
13 course, look closely at -- this would have to comply
14 with any sort of nondiscrimination policies regarding
15 senior projects, et cetera. We will make sure that all
16 of those requirements, which we have done in other
17 senior projects -- I think even with this applicant --
18 we'll make sure that those --

19 COMMISSIONER VALADEZ: Exactly. The state does
20 have definitions, et cetera, about senior housing and
21 how it is exempt and what the age requirements are,
22 et cetera.

23 MR. HAFETZ: That's correct.

24 COMMISSIONER HELSLEY: Mr. Chairman, one of the
25 concerns in relation to this discussion is that we're

1 taking out the microwave so that it doesn't become,
2 quote, a kitchen.

3 How many at the Palm Court have put a microwave
4 in or have microwaves at that location? Do we have an
5 idea?

6 MR. GARDNER: I do not. If there are any, I
7 will be surprised, but to my knowledge, there are not.

8 COMMISSIONER VALADEZ: Commissioner Helsley, I
9 guess the difficulty that I have with that is that you
10 have to assume, since it's a pretty portable thing --

11 COMMISSIONER HELSLEY: Yes.

12 COMMISSIONER VALADEZ: -- that unless you have
13 microwave police, people will be adding these -- what
14 they consider appliances pretty much to their house,
15 just as they would maybe have a coffee pot. I think you
16 have to assume that when you do that.

17 COMMISSIONER HELSLEY: To warm up coffee or
18 warm up hot chocolate in the evening?

19 COMMISSIONER VALADEZ: Absolutely.

20 COMMISSIONER HELSLEY: It doesn't make sense
21 not to have that in that facility.

22 MR. GARDNER: There are stations that do in
23 fact have microwaves for -- which is outside in the
24 corridor for their use, but I think Commissioner Valadez
25 is probably correct. I'm not sure we're able to police

1 it, but I just don't -- I just don't know.

2 MR. TRIPP: If I may address the commission,
3 when I mentioned the microwaves, those are what are
4 mentioned in the Culver City staff report.

5 COMMISSIONER BELLAMY: I read it.

6 MR. TRIPP: As far as our department is
7 concerned, the thing that really makes a unit a kitchen
8 is a stove. Now, a person could have a guesthouse that
9 has a microwave in it, and we wouldn't consider that a
10 second unit, you know. What we look for is the stove.

11 COMMISSIONER HELSLEY: All right. I would feel
12 quite strongly that we should not deny a microwave. I
13 think that that is something that, with the refrigerator
14 and the microwave, they now have the ability to keep a
15 beverage cool. They now have the ability to warm up a
16 beverage and not throw away or necessarily waste food.

17 MR. GARDNER: We have no problem with that.

18 COMMISSIONER HELSLEY: Is there a theater or
19 that type of thing in the facility?

20 MR. GARDNER: There is a room -- yes, there's a
21 large recreation room that is used for multi-purpose,
22 and certainly movies are -- one of the prime likes of
23 the residents.

24 COMMISSIONER HELSLEY: Right. The aspect of
25 convalescent care.

1 MR. GARDNER: This facility -- this is not --

2 COMMISSIONER HELSLEY: A convalescent --

3 MR. GARDNER: No.

4 COMMISSIONER HELSLEY: -- facility?

5 MR. GARDNER: No, not at all.

6 COMMISSIONER HELSLEY: You said there was all

7 maid service available?

8 MR. GARDNER: I'm sorry?

9 COMMISSIONER HELSLEY: There's maid service?

10 MR. GARDNER: There's daily maid service.

11 COMMISSIONER HELSLEY: Daily maid service

12 available.

13 MR. GARDNER: Yes. Well, when you say

14 "available," it is -- it includes daily maid service.

15 COMMISSIONER HELSLEY: Period?

16 MR. GARDNER: Period.

17 COMMISSIONER VALADEZ: Including all the

18 linens?

19 MR. GARDNER: Which includes linens, et cetera.

20 COMMISSIONER HELSLEY: I guess I'm looking

21 forward to a visit tomorrow to the other facility.

22 MR. GARDNER: Looking forward to having you

23 there. We'd be happy to show you our facility.

24 COMMISSIONER HELSLEY: I will be with staff.

25 MR. GARDNER: Terrific.

1 COMMISSIONER HELSLEY: I don't want
2 discussion --

3 MR. GARDNER: I'm really concerned about
4 Mrs. Valadez' comments in relation to architectural in
5 movement, if you will. And this is the first time that
6 I've heard, but our architect is here and I really would
7 like her to respond to you because, obviously, it's an
8 important aspect and we thought we have dotted the i's
9 and crossed the t's in relation to planning. And I
10 believe that she can address those in a very fast
11 fashion.

12 COMMISSIONER HELSLEY: I, too, would like to
13 have some definition as it relates to the walkways and
14 the interface of this facility with the naturalized
15 area, the water area, to the northeast or to the east of
16 it.

17 MR. GARDNER: May I have her --
18 Thank you very much.

19 COMMISSIONER HELSLEY: Please.

20 MS. MOSES: My name is Monika Moses, and I'm a
21 principal with GMPA Architects.

22 We didn't bring large boards, but our senior
23 facility is completely separated. The parking is
24 separated from the public parking. There's a gate, and
25 then directly from the parking associated with the

1 senior, there's an entry to the facility on the ground
2 floor.

3 The elevators are just between the floors from
4 the main lobby. They are not accessed from the public.
5 So you come in from the front door, and that's where
6 your elevator is from the first floor all the way
7 through the facility. There's a large stair also.
8 Connecting the entry to the main floor, you have the
9 dining room, the arts and crafts, the beauty salons, the
10 coffee shops, libraries, and so on. The elevators are
11 not access for the public.

12 The exit stairs exit directly to the outside.
13 So if you are in the public parking area, you're not
14 able to enter those exit stairs. You have separate exit
15 stairs from the public parking that connect you to the
16 public connecting road next to the lagoon that was
17 described earlier. So there's no cross-circulation.
18 There's no shared parking. It's completely separated.

19 And I'll be happy to walk you through the plans
20 to show you all those points.

21 COMMISSIONER VALADEZ: With respect to the
22 senior project, perhaps the plans have changed since the
23 environmental report; but there's two levels of senior
24 parking. There's a level near the retail, and then
25 there's a level on the second level with the public.

1 Has that changed?

2 MS. MOSES: There's a level at the -- no, that
3 hasn't changed. The lower level near the retail
4 parking, that's retail parking. And, well, there is
5 some spaces for the seniors that we anticipate more of
6 the assigned staff parking would be there. There is a
7 card -- the elevator is accessed there, but it will be
8 secured with a small elevator lobby where you will have
9 a special key for entry. So it's not accessible unless
10 you can enter that under the security code or --

11 COMMISSIONER VALADEZ: Is that area capable of
12 being fenced off like the area on the second level?

13 MS. MOSES: That area is gated off because
14 it's -- there's no public parking. It's all either
15 tenant -- retail parking or the facility parking is in
16 that section. All the public parking is in one place.

17 COMMISSIONER VALADEZ: Right. Is it capable of
18 being isolated from the retail parking?

19 MS. MOSES: We could gate it off, yes.

20 COMMISSIONER VALADEZ: Okay. And the elevator
21 that you have there, access is -- is it a separate
22 elevator that comes up through the second level of
23 parking?

24 MS. MOSES: It doesn't -- it goes to the second
25 level, but there's no access on the second level to that

1 elevator. The second level for that elevator is public
2 parking, and public parking has --

3 COMMISSIONER VALADEZ: So with the seniors that
4 are coming in on the lower level, they get into the
5 elevator and then they go up. Where do they go?

6 MS. MOSES: The seniors entering, they go into
7 the facility, but that would --

8 COMMISSIONER VALADEZ: So that elevator doesn't
9 stop on the public level; it just goes straight up to
10 the facility?

11 MS. MOSES: Correct.

12 COMMISSIONER VALADEZ: Thank you.

13 COMMISSIONER HELSLEY: The roadway and the
14 walkway that go between Washington and Admiralty Way, is
15 that a -- the discussion was that it was not going to be
16 a bikeway, which I highly concur. But is it wide enough
17 so that the walkway is such that it is compatible for
18 the elderly if they have walkers and maybe wheelchairs?

19 MS. MOSES: Yes. It is -- I believe it's
20 eight feet, and there's areas with benches so you can
21 stop and sit. It's more like a parklike setting.

22 COMMISSIONER HELSLEY: Uh-huh. And I would be
23 in hopes that there's at least one drinking fountain.

24 As I walked around the marina yesterday, I
25 tested every drinking fountain that was there, and two

1 out of ten put out enough water that you could get a
2 drink of. And so that's a maintenance problem. But
3 there needs to be something so that water is available
4 there.

5 I think the County has -- and I have not seen
6 it, but I have requested it -- some plans from Public
7 Works for the development of that pocket, that water
8 area pocket. I think Public Works has some plans in
9 process or something of that nature. I would like to
10 see if we could get that as a presentation to the
11 Planning Commission so that we are aware of that full
12 development, because that interfaces with this, I think,
13 quite dramatically and quite effectively, I think, in
14 many ways.

15 The retail that is going to be available is
16 basically off of Admiralty Way?

17 MR. TRIPP: The retail is --

18 MS. MOSES: The retail is on Washington
19 Boulevard.

20 MR. TRIPP: -- proposed on Washington
21 Boulevard.

22 COMMISSIONER HELSLEY: Okay. So it's on the --

23 MR. TRIPP: It's on the north side of the lot.
24 The retail is proposed to be on Washington Boulevard.

25 COMMISSIONER HELSLEY: Northeast side? North

1 side?

2 MR. TRIPP: They're looking for a slide right

3 now.

4 COMMISSIONER HELSLEY: Has the elevation

5 characteristic --

6 MR. GARDNER: We're trying to find a slide to

7 show the --

8 MR. TRIPP: They're looking for the slide right

9 now to show --

10 COMMISSIONER HELSLEY: Thank you.

11 COMMISSIONER VALADEZ: Just one follow-up to my

12 questions. I still want to see that in plan. I'd still

13 like to see that in plan so that I could just see how it

14 works.

15 Thank you.

16 MR. GARDNER: We have it here if that will

17 benefit.

18 MS. MOSES: There's a one-floor difference

19 between Admiralty and Washington. So the retail is on

20 Washington Boulevard, the street level.

21 COMMISSIONER MADUGNO: Are you going to be

22 offering these furnished, partially furnished, or

23 unfurnished or --

24 MR. GARDNER: I'm sorry?

25 COMMISSIONER MADUGNO: Are you going to be

1 offering these furnished, unfurnished, or partially
2 furnished?

3 MR. GARDNER: We are very flexible when it
4 comes to that situation. Many -- we have found that
5 many people have come from large homes and they want to
6 bring some of their furniture to make it feel as if they
7 still resided in their homes. So we are very flexible
8 in regard to that.

9 COMMISSIONER MADUGNO: Just as a general
10 statement, I'm very familiar with facilities like this.
11 I've been dealing with aging parents, sort of even
12 planning out what we want to do in staging retirement,
13 and this is sort of the next to the last step. And in
14 my mind, it's either this or getting on a Princess
15 cruise ship and living my final days out there until I
16 go to the last step.

17 Because it really is very much like high-end
18 sort of residential retirement, and it's when you take a
19 few of your last possessions that you don't give off to
20 your children or get rid of and you want to minimize
21 your life. You don't want to have to deal with going to
22 the grocery store any longer. You want to be able to
23 dress up, go down, have dinner, and make new friends.

24 And my youngest daughter, when she was in high
25 school, had the very distinct pleasure of being a server

1 at a facility like this. And we learned a great deal
2 about the type of facility. And, indeed, a very close
3 family friend lived in the facility and had the ability
4 of entertaining guests because there's like a little
5 private dining room to have parties. There's a library.

6 I wouldn't consider it being active seniors.
7 It's almost ambulatory seniors, but it's to the extent
8 to which, mentally, they're active; physically, maybe
9 they've slowed down, and to the extent to which they're
10 able to have their own independence of mind, taking care
11 of their personal needs, but really leaving everything
12 else to somebody else and having the ability of paying
13 for it.

14 And the proximity to LAX for those who want to
15 travel is terrific. The ability of going out and
16 walking in the sunlight and seeing boats and children
17 playing on the beach -- I mean, I think this is a
18 spectacular location.

19 My sense is -- and I agree with the parking.
20 From those that I have seen, they tend to be very, very
21 under-parked. People may move in with a car and
22 determine I don't need this. And so they get rid of it
23 because it's an added expense.

24 Unfortunately -- and I -- in a sense, if this
25 was surface parking, I would have said, gee, if you

1 could use concrete pavers, do some concrete grass, do
2 some sort of things and make it look landscaped versus
3 as a parking lot because it's not going to be used for
4 parking.

5 My sense is that behind the gate, where the
6 residents are going to be living or putting their cars,
7 is going to be so underutilized that I don't know over
8 time if there is some flexibility that we might
9 incorporate into that and come back with some director
10 approval to be able to move the gate and maybe open some
11 of that excess parking to public parking in the event
12 that the adjacent public lot is highly underutilized
13 or, I'm sorry, highly overutilized and you've got some
14 excess capacity here.

15 Because I would concur that a facility like
16 this in this location, if you've got 100 units or
17 100-plus units, you may end up -- you may start off with
18 30 or 40 cars; you may end up with three or four over
19 time because people just find they don't need it. It's
20 an added expense to pay the insurance, to pay the
21 vehicle registration, taking out for gas, find some
22 place to repair it. These are people who quite frankly
23 just don't want to be bothered with a lot of things, and
24 a car is a bother at that stage. Going to the grocery
25 store is a bother. Making their beds sometimes is a

1 bother. Going to the laundry is a bother. And if you
2 could afford to have somebody do those things for you,
3 all the better.

4 And so by maintaining guest parking and to the
5 extent to which there's retail activity -- but I quite
6 frankly think this is excess parking. It's just going
7 to sit there vacant in the future. And we might want to
8 have some ability to revisit that and open that parking
9 up for some other uses to the extent to which it can be
10 demonstrated that it's not being utilized by residents.

11 But, you know, whatever we call this, I don't
12 necessarily call it a senior citizen-type home in the
13 normal sense. It's more of a high-end, low activity
14 resort living. But we have all of our accommodations
15 and things for hotels, but we have 30-day maximum stays.
16 So it's sort of a very long stay, a very nice
17 residential hotel, full service by having the food.

18 To the extent to which I would certainly
19 support again -- and my own thinking and with the
20 cruises we do and the types of use that we have and
21 having my mother-in-law live with us for 20 years until
22 she got to the point that she couldn't -- we provided
23 her with a whole -- almost like an apartment within our
24 home. And there was a microwave there. There was a
25 small refrigerator there, and she had the kitchen sink.

1 And so if she didn't want to have to go into the main
2 kitchen of the house, she had the ability of popping
3 some popcorn, getting a cold drink, and heating some
4 water for some tea.

5 And so to the extent to which that can be built
6 into some sort of area, I think that would be nice. A
7 lot of hotels have them. Certainly, cruise ships do,
8 other than the microwaves, but they have refrigerators.
9 And if you don't want to have them, you regulate because
10 you're in there cleaning, you see the things, and it's
11 sort of like a college dorm where you say you cannot
12 bring in certain electrical devices. But I think it
13 would be safe to have a microwave than it would some of
14 those other little heating devices that draw a lot more
15 power and have a lot more potential of causing fire. I
16 would report that as we sort of look at this.

17 MR. GARDNER: Commissioner, you had mentioned
18 about the facility that you are familiar with.

19 The one thing that we have found in our
20 facility at Palm Court, we have a small, if you will,
21 dining room that resembles that of your home. And we
22 have found that it gets more use than we ever imagined.
23 People really feel that that's a comfort zone, that they
24 can come and entertain their family or friends or
25 whatever, and that room is always in use, and it really

1 is a major plus.

2 So we -- I mean, this is the kind of atmosphere
3 we're trying to convey, and certainly, the most
4 important thing is we want to relieve the senior of any
5 pressure. And that's exactly what you had indicated.
6 You move in and everything is done for you. There's a
7 beauty shop. There's a barber shop. You just don't
8 need to leave the facility, although we encourage you
9 obviously to get out and mingle and partake in the
10 activities; but you just don't need to do that.

11 We had one senior who just recently had a
12 marriage there. The man was 95 and she was 94. It's
13 just an amazing, amazing --

14 And one other aspect of it, the car. A number
15 of our seniors complained about the smog, that they
16 didn't want to spend the money to have their car
17 smogged, so they just want to get rid of their car.

18 COMMISSIONER REW: Mr. Chairman, let me see if
19 I understand now. The parking for the residents is
20 secure behind a gated gate. It's first come, first
21 served for the parking, no assigned parking places; is
22 that correct?

23 (Inaudible response.)

24 COMMISSIONER REW: Are there any storage
25 cabinets in relationship to the parking spaces?

1 MS. MOSES: We have storage for the building
2 throughout the building, not in the parking.

3 COMMISSIONER REW: In other words, if someone
4 has a car and they want to put tools in a cabinet,
5 there's no cabinet for them to do that in relationship
6 to a particular parking space?

7 MS. MOSES: No.

8 MR. GARDNER: If you're referring to the garage
9 itself, that is correct. At Palm Court we do not have
10 the storage lockers where if they had, as you pointed
11 out, tools or whatever, they can -- we don't have that.

12 And the irony of it is it's never been -- it's
13 never been asked of us to provide additional storage.
14 When they come to this kind of facility, they try to
15 remove whatever clutter that they have over the years.

16 COMMISSIONER REW: So if they had seasonal
17 decorations for Christmas or Halloween or whatever, they
18 would have to store it within their own living unit?

19 MS. MOSES: That's right. That's correct.

20 COMMISSIONER REW: Now, the parking for the
21 commercial, is it also shared with the parking for the
22 adjacent lagoon?

23 MS. MOSES: It's not shared with public
24 parking. It's separated from the public parking.

25 MR. TRIPP: Do we have a parking slide to -- it

1 will clarify it in two seconds.

2 MS. MOSES: On the lower level, which is
3 daylight with Washington Boulevard, we have retail in
4 the front. And right behind it there is parking for the
5 retail. Additional parking for our facility is in that
6 section.

7 COMMISSIONER REW: And that retail is for not
8 only the residents, but the public?

9 MS. MOSES: That's right.

10 COMMISSIONER REW: A hair salon, barber shop,
11 whatever it may be.

12 MS. MOSES: Yes, that's correct.

13 COMMISSIONER REW: Okay. Then there's a
14 separate area for people that want to visit the lagoon
15 area?

16 MS. MOSES: That's correct. That's above that.

17 COMMISSIONER REW: And that parking is free and
18 first come, first served?

19 MS. MOSES: That's correct.

20 MR. GARDNER: I think this will help you.

21 MS. MOSES: So this is the retail. This is
22 Washington Boulevard and the parking is behind it.
23 There's two entry, one directly from Washington and
24 another one off this connecting access road that
25 connects Washington to Admiralty. So this is parking

1 for the retail as well as additional parking spaces for
2 the senior community.

3 This is the elevator that we were talking about
4 earlier, and there's a lobby in front of it, and you
5 can't enter that unless you have a key. It's a secured
6 elevator.

7 Going up the next slide --

8 Do you have the next parking --

9 Okay. So then this is the main parking. It
10 accesses off this driveway right over here, and there's
11 a gate going to the public parking. So the public
12 parking is together. There is another gate right over
13 here. And now this is the secured parking for the
14 seniors. Our senior entry is off Admiralty. You enter
15 from this double doors, and then you have a security
16 desk and you have an elevator that takes -- and a stair
17 that takes you straight up to the main floor.

18 From this parking that's behind the gate,
19 there's an entry into the lobby and facing the security
20 desk. So that's the only way as a visitor that you have
21 to enter, and only then you can use the elevator. This
22 elevator connects -- and the stair -- connects you all
23 the way through.

24 On this floor we also have a little bar area
25 and we have a lounge with sitting on the outside. So

1 you can sit and you can watch across Admiralty, the
2 marina, and also, from this lounge you can look across
3 to the lagoon. So you are really connected visually and
4 you're part of the environment.

5 Going up one more slide -- the other way.

6 Okay. And then this is our main floor. It's
7 kind of small to see, but then everything happens on
8 this floor. This is where you have all the activities
9 and the activities -- dining room, library, arts and
10 crafts, beauty salon, little movie theater, outdoor
11 courtyards, outdoor seating, outdoor spa. So we want to
12 create a sense of dynamics where everybody -- you can
13 see everybody, like a main street approach, so you --
14 every time -- you know, it's a social interaction, and
15 everything is more or less on this floor.

16 And then as you go up this elevator now, when
17 you live here, you just go between this floor and the
18 fourth floor. You would use this elevator to go all the
19 way down to the main lobby and then you are on -- at the
20 marina.

21 COMMISSIONER REW: And when the grandchildren
22 come to visit grandma, where do they park?

23 MS. MOSES: They would be parking on the --
24 parking off the entry --

25 Can you go back one slide, please?

1 Okay. When they come to visit, they would be
2 parking right in here and then they will go --

3 From the parking, there's a door into the
4 lobby, and that's where the security desk is, and then
5 they'll go up this elevator to visit.

6 COMMISSIONER REW: Thank you.

7 COMMISSIONER HELSLEY: Mr. Chairman, the
8 elevator that goes between the lobby, the residential
9 floors, the floors above that, is that of a size in
10 which a gurney can be put in?

11 MS. MOSES: Can you repeat the question?

12 COMMISSIONER HELSLEY: Is it large enough so
13 that a gurney --

14 MS. MOSES: Oh, yes. It's a hospital -- it's
15 an oversized elevator, and also, we have a service
16 elevator right behind -- so there's a passenger elevator
17 and there's a service elevator that's even larger that
18 connects all the floors. So we could use either one.

19 COMMISSIONER BELLAMY: We're going to take a
20 five-minute break.

21 (A brief recess was taken.)

22 COMMISSIONER BELLAMY: Back in session.

23 Oh, no.

24 MR. TRIPP: We do have two additional slides
25 that we wanted to show you of the promenade, and the

1 architect can comment on them.

2 This is Parcel 21 site. The ocean would be
3 directly north of this site. What you see to the left
4 of the structures there is a proposed park area.

5 You want to make any further comments on that?

6 MS. MOSES: So along the water, we have, as you
7 can see, palm trees and we have public benches, water
8 fountains, trash receptacles, and they are spaced -- I
9 believe we have five across the -- I'm not sure exactly
10 how many, but I think three in front of the building and
11 two in front of the park.

12 And these are the elements that we have. These
13 are the light posts, public signage, benches, and then
14 we have interlocking pavers. And those are the colors
15 that are continuous from the previous project, but the
16 design is slightly different. So there's a
17 continuation, but a change as you go along. So these
18 are more details of those elements that are on the
19 promenade in addition to the landscaping, palm trees,
20 and so on.

21 COMMISSIONER BELLAMY: Is that it?

22 MR. TRIPP: You want to see the previous slide?

23 COMMISSIONER HELSLEY: A question in relation
24 to the bottom portion of that, the interior roadway.

25 MS. MOSES: This one?

1 COMMISSIONER HELSLEY: Are there currently
2 walkways along those -- I didn't walk in there.

3 MR. TRIPP: No, there aren't. There's a small
4 walkway on the water side. There aren't sidewalks on
5 the Panay Way side.

6 COMMISSIONER HELSLEY: So we're talking about
7 maybe -- what? -- five or six feet?

8 MR. TRIPP: On the current promenade I would
9 say it's more like eight feet.

10 COMMISSIONER HELSLEY: No, no, no, no. Near
11 the road. What you call the sidewalk of the road
12 transportation, it's in the --

13 MR. TRIPP: There's nothing on the road. If
14 you are on Panay Way right now --

15 COMMISSIONER HELSLEY: Walking the road.

16 MR. TRIPP: -- there's no sidewalk.

17 COMMISSIONER HELSLEY: Yeah, okay. I didn't go
18 in there.

19 So this is proposing to put a very narrow
20 walkway in there?

21 MR. TRIPP: Right.

22 COMMISSIONER HELSLEY: Okay. We're not taking
23 it off of the outside one where we're talking about the
24 promenade; we're not taking away from that?

25 MR. TRIPP: No. It's a full 28-foot-wide

1 promenade.

2 COMMISSIONER HELSLEY: Okay. And I still have
3 problems with the stairways. I've tried to line them up
4 with the plans that were given, and I find the
5 residential section on the garage -- the lower garage
6 floor plan has some residential areas in it for parking,
7 it appears, along with the -- no. It's all residential
8 in that one zone. And then the other zone is the --

9 COMMISSIONER VALADEZ: Retail?

10 COMMISSIONER HELSLEY: -- retail parking area.
11 And I don't see how you get between the two.

12 MS. MOSES: Between the residential -- the
13 retail parking, you just walk out to the street and it's
14 daylight. So you don't need any stairs.

15 COMMISSIONER HELSLEY: I don't worry about
16 retail there. Other than the intermixing of the retail
17 to the elevator.

18 MS. MOSES: We are talking about the
19 residential project OT?

20 COMMISSIONER REW: Yes.

21 MS. MOSES: Okay. The exit stairs continue
22 through the retail because you have to exit to the
23 street, but you cannot enter on the retail to the
24 stairs. So it's an exit stair only.

25 COMMISSIONER HELSLEY: But part of that parking

1 says "Residential Parking."

2 MS. MOSES: So there's a few parking spaces
3 behind the retail that belong to the retirement hotel.
4 And those spaces, they're --

5 In front of the elevator there is a lobby, and
6 it's a secured lobby where you are going to be able to
7 access that with a key or a key card. Those spaces are
8 going to be assigned to the director or staff, people
9 who work in the facility. They'll be in that location.
10 And the visitors and the tenants themselves are going to
11 be on the parking just above.

12 COMMISSIONER HELSLEY: So that's employee
13 parking?

14 MS. MOSES: That's correct.

15 COMMISSIONER HELSLEY: Residential employee
16 parking?

17 MS. MOSES: Correct.

18 COMMISSIONER HELSLEY: They won't have a key.

19 COMMISSIONER VALADEZ: Oh, that's right. They
20 can't get in. Visitors can't get in. So that's just
21 employee parking?

22 MS. MOSES: Right.

23 COMMISSIONER VALADEZ: So visitors and tenants
24 have 20 parking spaces?

25 MR. TRIPP: The 20 parking spaces is retail.

1 COMMISSIONER VALADEZ: Twenty-two parking
2 spaces.

3 MS. MOSES: On the upper floor there's more
4 than 20 --

5 COMMISSIONER VALADEZ: There's 22, I think.

6 MR. GARDNER: The 22 spaces are for the retail
7 component.

8 MS. MOSES: For the retail component.

9 COMMISSIONER VALADEZ: No, no, no. There's a
10 residential parking where public parking is, and that's
11 the parking that would be for tenants and visitors.
12 We've just been told this. The parking next to the
13 retail is for employees, like the director and the maids
14 and whoever else is working in the project. So that
15 there are basically only 22 parking spaces for both
16 visitors and tenants. That's all.

17 MS. MOSES: No. We -- that's -- we have 20
18 spaces on that section designated for retail.

19 COMMISSIONER VALADEZ: Yes. You have 20 for
20 retail and 20 for residential or for the hotel, for the
21 congregate care facility, for whatever we call it.

22 (Indiscernible conversation.)

23 COMMISSIONER VALADEZ: For employees.

24 Okay. So there's a solution to this, by the
25 way. This is not a big issue. It's just an issue.

1 MS. MOSES: We have 22 spaces. Two spaces,
2 they are for the retirement. The rest of the spaces, 40
3 spaces, are above.

4 COMMISSIONER VALADEZ: Okay. That's not what
5 shows on the plans that we have.

6 MS. MOSES: We'll clarify them.

7 COMMISSIONER VALADEZ: Okay. We just need a
8 clarification, all I'm saying.

9 MS. MOSES: But we could --

10 COMMISSIONER VALADEZ: Yes.

11 MS. MOSES: We could do what address --

12 COMMISSIONER VALADEZ: We just need an update
13 of these plans and also an update of the plans that show
14 the elevator access -- I mean the stairwell access
15 between public and the residential.

16 MS. MOSES: Okay.

17 MR. GARDNER: They don't have that?

18 MS. MOSES: Maybe what she has --

19 MR. GARDNER: Is it in the EIR?

20 COMMISSIONER VALADEZ: With that, I don't think
21 I have any additional questions.

22 COMMISSIONER BELLAMY: Additional questions?

23 COMMISSIONER REW: Commissioner Valadez, you're
24 saying how many places now for residents?

25 COMMISSIONER VALADEZ: Well, they're going to

1 clarify it. Originally, they said that there were 20
2 parking spaces near the retail which were for employees
3 and for -- just employees, and then up above, they had
4 22 parking spaces which were going to be for visitors
5 and for tenants; but I believe now they've moved all of
6 the residential parking, both employee and for visitors
7 and for the tenants themselves, to the second level so
8 that they're all on one level. So now it's still 42
9 parking spaces, but they're all located on one level.

10 MS. MOSES: I think that one of the things that
11 we could do in addition is that the parking spaces
12 that -- we'll count them, but we could separate them
13 also on the lower level behind the gate so they could be
14 secured, and then again, the same -- you would be
15 accessing those with a --

16 COMMISSIONER VALADEZ: We have the same
17 concerns about how that works. So there's a concern
18 about how it works and how it works with the seniors
19 and -- et cetera.

20 We understand that would -- originally was just
21 there so that you could put -- the employees and
22 basically the director, who didn't need as much
23 security, could walk to wherever they were going. You
24 just need to deal with that as an issue.

25 But, yes, basically, I think that the concept

1 is that you will have, I'm assuming, at least ten or 15
2 employees at any one time at the project itself, I mean,
3 considering 114 units to clean, a director, a beauty
4 parlor person, you know, every once in a while, but
5 definitely somebody to run the beauty parlor, the cooks
6 that are there pretty much.

7 You close down at some time. So they're only
8 there during the day. Or do you have a cook at night
9 also?

10 MR. GARDNER: There's not a cook at night, no.

11 COMMISSIONER VALADEZ: Okay. So during the
12 day, the cook and the cook's assistants during the day.
13 So I would think that it would be reasonable -- what's a
14 reasonable number for your employee count?

15 MR. GARDNER: I think that what you had said is
16 probably pretty accurate.

17 COMMISSIONER VALADEZ: About 15 persons at any
18 one time on the site. So that you would have 15 spaces
19 that were taken for that.

20 MR. GARDNER: Except we find that most of our
21 employees, for example, at Palm Court use public
22 transportation. They just don't -- they don't drive.

23 COMMISSIONER VALADEZ: That's possible, but you
24 have to assume you have to provide parking for them and
25 a number that's there. You have to assume they may all

1 show up in cars or they may not all show up in cars.

2 The reason that this becomes more critical
3 here, and maybe it could at Palm Court, is because there
4 really isn't what we would call street parking for
5 anyone, visitors or anyone coming to see the tenants.
6 There's no street parking.

7 Secondly, it becomes -- I'm sorry. This
8 obviously has nothing to do -- but it becomes more of a
9 concern because we don't want the overflow going into
10 the public parking because we've definitely told Fantasy
11 Yachts and the public and the people looking at the
12 lagoon and somebody who comes for the Fourth of July
13 that those number of spaces that we have, in the 90s,
14 are not going to be used by any employees; they're not
15 going to be used by any tenants; they're not going to be
16 used by visitors, et cetera. A hundred percent of your
17 parking is going to be right there, whereas in some
18 other instances --

19 And I have these concerns. They're still
20 there. I'm not sure what the number is. But I still
21 have concerns that it's not enough parking to be
22 comfortable that we won't have overflow.

23 And it may well be that when 20 years pass, we
24 will have -- and maybe this is something that Christian
25 Badunia was talking about -- it may well be that we will

1 have excess parking in 20 years or 25 years, but will we
2 have excess parking when you open up or will we have too
3 little parking when you open up? That's the real
4 question.

5 And what is the comfort level. Are we
6 comfortable enough that, when you open up, you'll need
7 only something in the neighborhood of maybe 30 parking
8 spaces or 28 parking spaces for your whole building?

9 MR. GARDNER: Our experience is that we -- that
10 we have never ever had a problem with parking. And how
11 it initially originated at Palm Court was it was one for
12 four, and that's basically the predication that we've
13 used throughout all of our facilities, and that's --
14 it's worked for us.

15 So I thought that you have a packet that was
16 given that explained -- or is that part of the EIR
17 package that they have that depicts the parking?

18 MS. MOSES: No.

19 MR. GARDNER: But you need something in
20 addition to --

21 COMMISSIONER VALADEZ: I talked to staff, and
22 we'll work with your architect to deal with the issues
23 that we have with respect to access and senior --

24 MR. GARDNER: Perfect.

25 COMMISSIONER VALADEZ: Yeah. I think it's

1 easier that way.

2 COMMISSIONER REW: Mr. Tripp, now, there was a

3 ratio of -- what? -- the .36?

4 MR. TRIPP: That's correct. If you look at the

5 slide right now, it explains the parking breakout for

6 this project.

7 COMMISSIONER REW: And it's .36 --

8 MR. TRIPP: Per unit.

9 COMMISSIONER REW: -- per unit equals 42 --

10 MR. TRIPP: Forty-one.

11 COMMISSIONER REW: -- 41 spaces?

12 MR. TRIPP: Correct.

13 COMMISSIONER REW: Solely for residents?

14 MR. TRIPP: Yeah. That's the way it's broken

15 out, but --

16 COMMISSIONER REW: Not staff, correct?

17 MR. TRIPP: Well, they're saying .36 per unit,

18 and we were assuming that that would include staff.

19 COMMISSIONER VALADEZ: And visitors.

20 MR. TRIPP: And visitors, correct.

21 COMMISSIONER REW: Staff and visitors and

22 residents?

23 MR. TRIPP: Right. That's correct.

24 MR. GARDNER: That's correct.

25 COMMISSIONER BELLAMY: Any further discussion?

1 Thank you.

2 MR. GARDNER: Thank you.

3 COMMISSIONER BELLAMY: Okay. We're going to
4 have a (indiscernible). We need persons to be sworn in.

5 UNIDENTIFIED MALE SPEAKER: Yes, Mr. Chairman.
6 There's one person that came in late, needs to be sworn
7 in. You may want to swear him in now.

8 COMMISSIONER BELLAMY: Okay. Who's going to
9 speak on this agenda item or any agenda item? Would you
10 please stand and raise your right hand if you haven't
11 been sworn in.

12 Do you and each of you swear/affirm under
13 penalty of perjury that the testimony you may give in
14 the matters now pending before this commission shall be
15 the truth, the whole truth, and nothing but the truth?

16 (Inaudible responses.)

17 COMMISSIONER BELLAMY: Thank you.

18 UNIDENTIFIED MALE SPEAKER: Mr. Chairman, we
19 have eight speaker cards. I'd like to call John Rizzo,
20 Mr. Rizzo. Also, Carla Andrus. Is Carla here? And
21 David Barish and Daniel Gottlieb.

22 As you complete your testimony, could you
23 please vacate the seat to allow the next testifier to
24 come forward.

25 COMMISSIONER BELLAMY: So each person will have

1 four minutes. Four.

2 When the amber light comes on, would you please
3 wrap up your presentation.

4 Thank you.

5 Your name?

6 MR. RIZZO: John Rizzo, President of the Marina
7 Tenants Association.

8 The people about 50 years ago voted, county, to
9 have a small craft recreational project. Then they got
10 government money -- federal, state, and local money --
11 and built the marina. The land and water presently is
12 worth, I've estimated, about six billion dollars. And
13 there is always (indiscernible) that has a price control
14 provision in it, and I've given you the county counsel's
15 opinion. I gave it to Mr. Tripp, and he says each of
16 you have a copy of that.

17 Did you receive that copy that I provided? It
18 has about seven or eight sheets of paper on price
19 control in the marina. Did the commission receive it?

20 (Inaudible response.)

21 MR. RIZZO: All right. And they asked -- they
22 gave it to the grand jury, and the grand jury asked a
23 bunch of questions: Must price control be done in
24 Marina Del Rey? And the answer was: Yes, it must be
25 done. And then it explains why.

1 And if you don't control the price, you'll have
2 essentially given away publicly and to private
3 individuals. The only thing that really makes it
4 accessible to the public is price control. And if you
5 read that, it has the case law and it explains the why.

6 So what you have done on this project is given
7 away public land to a private individual and the
8 reasoning being that he's going to generate revenue for
9 the County, but he's only going to generate what the
10 land is worth, maximum, because that's all he can do.
11 The land is worth so much.

12 They get eight percent as a fair return on the
13 land, and so they -- and that's all controlled by the
14 County. They raise their percentage rental or they
15 lower the percentage rental. They could cut the rents
16 in the marina in half and double the percentage rental
17 and still get the same amount of money.

18 The newspapers have written time and time again
19 that they're not getting even what they're supposed to
20 be getting, let alone getting money out of the marina
21 that they claim they're getting. And I'm sure we all
22 saw that documentation.

23 This land -- it's all about turning over this
24 prime piece of land in Marina Del Rey to this individual
25 illegally by not controlling the prices.

1 The marina was made for brown people. It was
2 made for white people. It was made for all groups of
3 people. And the only thing that gives that protection
4 is to control the prices, not for rich people who can
5 afford this kind of living. They can do that anywhere.
6 Anywhere.

7 Right down the street they have an empty --
8 they've just built it -- all these condominiums that
9 they want to sell. It's on the canals right now and
10 they're just opening it. They could have built there
11 and put them up. It's right next to one of his HUD
12 projects. So they could have built there on private
13 land for private people.

14 You just don't go into a recreational project,
15 first of all, and start putting senior citizen housing.
16 It's not to be put -- it doesn't even make sense to put
17 it.

18 I mean, we need recreation just as we need the
19 senior citizen stuff; but when we need the housing, we
20 need it affordable. We don't need high-end stuff. We
21 have 100,000 people in the streets. We need stuff for
22 them.

23 It just doesn't make sense and it's not legal
24 to do what they're doing. I know you've spent a lot of
25 time reading the material and trying to do the best you

1 can. I know it's a political problem with the Board of
2 Supervisors, the way they want to do it.

3 But I don't know what else to say. I mean,
4 it's not legal. You saw the evidence it's not legal.
5 It doesn't make sense to be using recreational land for
6 this kind of thing and --

7 Thank you.

8 COMMISSIONER BELLAMY: Thank you, sir.

9 Yes, ma'am.

10 MS. ANDRUS: Commissioners, my name is Carla
11 Andrus. Sorry.

12 All this significant impact for a select few is
13 just totally unreasonable. And again, I want to remind
14 you that the reputation of G&K in the marina at any rate
15 is -- along with the Department of Beaches and
16 Harbors -- is very unworthy of asking for these
17 amendments, okay?

18 And I told you I would bring you the
19 violations, and I have done that. I thought we would be
20 seeing you in February, so I don't have everything here.
21 But I have enough here that you will be able to see, and
22 without question, that there was board and care that was
23 supposed to be on Parcel 18.

24 Well, we fell far short of that promise and it
25 turned into active senior citizens 62 and over. There

1 are several violations in regard to that project, and
2 the parking still to this day is in violation. And the
3 Department of Beaches and Harbors knows that. They're
4 the ones who are supposed to be regulating this, and yet
5 they're the co-applicant for this project and to ask for
6 this type of amendment, the amendment for active senior
7 accommodations. What priority is that? Residential is
8 the lowest priority. This is a hotel residential. This
9 is even lower priority, as it only serves a select group
10 of seniors.

11 And then to ask for a transfer of development
12 potential when Parcel 18, the Monte Carlo -- they got a
13 land amendment. Here it is. They got a land amendment.
14 It's in their application. They got -- they asked for
15 75 units of development units for board and care. And
16 that's what -- the Monte Carlo is still riding on that.

17 In all fairness, those units need to be taken
18 away from the Monte Carlo as they are not board and care
19 units. They need to be put back into the development
20 zone, which is Panay Way, for -- put those back and let
21 the Department of Beaches and Harbors and Goldrich &
22 Kest figure out where they're going to get the allocated
23 units that should be rightfully administratively
24 corrected. Administratively corrected, what would
25 really happen is Parcel 18 -- the permit would be

1 pulled, period. And that's what should happen.

2 But that's not what we're talking about today.

3 We're talking about letting this developer and the

4 Department of Beaches and Harbors come up with a whole

5 new category. And then they also want development zones

6 from another place.

7 I can't believe the arrogance that they would

8 be asking for such a thing for such a reason and no

9 alternative ideas at all. All of the things that we've

10 been hearing for the last, it seems, like two hours now

11 were things that should have been brought in front of

12 the design control board; but that process was cut short

13 and intentionally so, because when the design control

14 board looked at this, they were asking questions like

15 why are you having a retirement hotel on OT parcel?

16 COMMISSIONER BELLAMY: Can you wrap this up,

17 please?

18 MS. ANDRUS: What?

19 COMMISSIONER BELLAMY: Your time is up. Can

20 you wrap it up?

21 MS. ANDRUS: That's four minutes?

22 COMMISSIONER BELLAMY: That was four minutes.

23 It's four minutes and 18 seconds.

24 COMMISSIONER VALADEZ: Thank you.

25 COMMISSIONER BELLAMY: Thank you.

1 MS. ANDRUS: I will submit this to show you
2 that they got the 75 units.

3 COMMISSIONER VALADEZ: Thank you.

4 MS. ANDRUS: And I will submit this, although
5 it's not as organized as I would have liked it to have
6 been --

7 COMMISSIONER BELLAMY: That's fine. Give it to
8 our lady here.

9 MS. ANDRUS: -- since we didn't get to --

10 COMMISSIONER VALADEZ: Thank you.

11 MS. ANDRUS: -- see you in February. And this
12 is for the permit.

13 COMMISSIONER BELLAMY: Yes, sir. Would you --
14 yes, sir.

15 MR. GOTTLIEB: My name is Daniel Gottlieb and
16 I'm a mathematician. We've met before.

17 I gave you two different documents, most of
18 you. And one of them is a statistical report that I did
19 in behest of a news organization, and they wanted to
20 check out the statistics. And it was done so clearly.
21 The conclusion is very flamboyant, so you may not agree
22 with it, which is all to the good, because if you read
23 this, the way the statistics was done, it was very clear
24 and it's very different from what we see in the
25 statistics coming for trip generations and graphic and

1 all these other things.

2 So I gave it to you so hopefully that you could
3 compare, when you start reading stuff that doesn't quite
4 make sense, what a good honest approach is.

5 I also want to respond to the response that was
6 made to my testimony, which is the other thing that I
7 gave you. And the testimony involved the movement of
8 dirt and debris. And I said it wasn't consistent with
9 what we know from the shores and from the woodfin
10 projects. And it looked quite different.

11 And so they gave an explanation, which -- it
12 was two paragraphs. The first paragraph is most
13 germane, and it starts out with lots of references, and
14 they actually made a distinction between soil and
15 debris, which I don't know exactly is right or wrong.
16 Whatever it is, it contradicts what these other EIRs are
17 doing. So somebody's wrong.

18 And this wrong, then -- if you read carefully
19 their response, you see that there's lots of
20 annotations, lots of things. Well, all I did was copy,
21 copy -- look for 4,446 cubic feet. And I could go
22 through the EIR and find stuff.

23 So they went and found places I looked at and
24 gave their citations, but then they suddenly -- for the
25 rest of the paragraph, they suddenly start talking about

1 dump trucks and give all kinds of detailed information
2 with absolutely no reference. Nothing. There's nothing
3 in the EIR that corresponds to this. So somebody just
4 wrote stuff down, possibly wrong. And if it's not
5 wrong, then the previous projects that have gone through
6 are misleading. So somebody's wrong. As a
7 mathematician, I know, when I'm looking at a
8 contradiction, something is wrong. You're getting
9 expert testimony there.

10 Also, I'd like to note, when you're looking at
11 these documents, that it's incredible to me that almost
12 anytime a percentage is used in some sort of argument,
13 it's wrong. They don't -- the percentage -- you have a
14 number on the top, number that you divide by, and the
15 percentage is just sort of a way to inculcate that into
16 common speech. They don't tell you what's divided or
17 they use misleading headers in their tables.

18 This is especially clear in -- when they're
19 dealing with the same project and the -- whether or not
20 they should be shrinking the amount of slips.

21 COMMISSIONER BELLAMY: Could you please wrap
22 up, sir?

23 MR. GOTTLIEB: Here's another example.

24 COMMISSIONER BELLAMY: Sir, can you please wrap
25 up? Your time's up.

1 MR. GOTTLIEB: I'm wrapping it up right now.
2 If you look --
3 COMMISSIONER BELLAMY: Sir, can you please wrap
4 up? We have other people that want to speak.
5 MR. GOTTLIEB: What do you mean by "wrap up"?
6 I'm wrapping up --
7 COMMISSIONER BELLAMY: Okay. Thank you.
8 MR. GOTTLIEB: Thank you.
9 COMMISSIONER BELLAMY: Thank you.
10 COMMISSIONER BELLAMY: Yes, sir.
11 MR. BARISH: Good afternoon, Honorable
12 Commissioners. Excuse me. My name is David Barish from
13 We ARE Marina Del Rey.
14 First, I'd like to make two comments about
15 responding to Ms. Culbertson's statements from earlier
16 this morning. She said that we'll be doing a five-year
17 visioning program, a visioning program in five years,
18 that will look at public parking in Marina Del Rey in
19 perpetuity; but yet, by then, this commission will be
20 asked to approve projects that will convert eight public
21 parking lots all throughout the marina to private use.
22 So what's going to happen when we get there and
23 we realize we need public parking back because we
24 decided to finally add a recreation that should have
25 been there in the first place? The question is really

1 about underserved recreation versus overutilized
2 parking.

3 Next, she mentioned that as she walked the site
4 OT yesterday, she got to walk to Mother's Beach and it
5 was very convenient for the seniors to be able to do
6 that; but yet in the EIR, it says it's very inconvenient
7 for the public to walk from that lot to Mother's Beach
8 to use it. So which is it? So that, to me, sounds like
9 it's discrimination against the local class citizens who
10 use Mother's Beach for public recreation.

11 Now, moving on, this project -- it's really --
12 I find it hard to believe this commission feels there is
13 a need to have a permanent and docked cruise ship on
14 public land in Marina Del Rey for high-end luxury
15 seniors that is for people 60 and over -- it's not 65,
16 not sixty- -- 60 and over who may or may not be retired.
17 That's a very discriminatory land use category, which is
18 detailed in my comments letter to you.

19 But moving on to the parking requirement, we
20 discussed this in detail. In the response package that
21 was provided by Regional Planning, they provided the
22 zoning -- the Culver City standards for parking. I've
23 applied the three different categories to this project.

24 And when you look at it, if it was called
25 senior housing, they would need 125 spaces all up. If

1 it was congregate care in Culver City, they would need
2 85 spaces. If it was a residential care facility, which
3 it certainly is not, they would need 54 spaces. In all
4 cases it's well under the number of spaces required.

5 But they say it's because of the limos are
6 going to take them everywhere, which gets me to -- begs
7 me to question, which is not answered in this EIR -- is
8 there's nothing about traffic trips in the EIR for these
9 limousines. They'll be shuttling up to 150 residents at
10 peak, 90 percent occupancy, according to the EIR, on a
11 daily basis. How many limousines will be used, what
12 size, how often, at what times will they operate, where
13 will the limousines park, will their engines idle, and
14 what effects on pollution, air quality, will they have?
15 And what happens if more residents want cars than there
16 are spaces?

17 I think there's a serious problem with the
18 parking here, and also, going to the trip calculations,
19 the net proposed project trips for this (indiscernible)
20 are -- .17 is the congregate care facility category.
21 I'm not sure if this is a correct number to be using for
22 traffic trips, and I think that needs to be further
23 supported and detailed.

24 And finally, just on Parcel 21, I would like
25 clarification from the staff on what parking structure

1 was approved by the DCB back on August 18th, 2005. Was
2 it a public or private structure? Was it four stories
3 or six stories and where was it located? Because I
4 don't find the details and the minutes provide us an
5 accurate answer.

6 And I'm under the impression that what is
7 before you was not approved by the DCB. I could be
8 wrong, but there is not enough detail to answer that. I
9 would really like that, because if it has not been seen
10 by the DCB, it is a requirement that it has to be
11 reviewed by them first before coming here. It has to
12 be. That's a law that nobody can get around. So I'd
13 like that clarification before we move on today.

14 Thank you for your time.

15 COMMISSIONER BELLAMY: Thank you very much.

16 UNIDENTIFIED MALE SPEAKER: Okay. The next
17 speaker is Nancy Marino, followed by Lynn Shapiro, Larry
18 Koch, and the last speaker is John Nahas.

19 COMMISSIONER BELLAMY: Yes, ma'am.

20 MS. MARINO: Good afternoon, Honorable
21 Commissioners. My name is Nancy Vernon Marino. That's
22 M-a-r-i-n-o. And I am also with We ARE Marina Del Rey.

23 Before I begin my comments, I would like to say
24 that I am still waiting for a response to my testimony
25 of October 21st, which had to do with the

1 underserved-by-recreation aspect of this parcel and
2 whether or not a park and ride had been looked at,
3 overflow for Venice Beach parking, as required by the
4 LCP, had ever been pursued by the County.

5 The response that is in the staff report says
6 only that the parking was replaced elsewhere. It did
7 not speak to the recreational opportunities and
8 development or lack thereof by the County. So I would
9 like you to ask staff to address that issue and
10 specifically on the underserved-by-recreation aspect.

11 Thank you.

12 It became clear from the rebuttals and your
13 questions and the responses earlier that this project is
14 nothing more than an attempt to codify age
15 discrimination. Ironically, it was a Marina Del Rey
16 court case in the early '80s that banned the practice to
17 begin with.

18 The zoning may be for Marina Del Rey only. If
19 it is such a public benefit, if it is needed, why is
20 this not being proposed for a countywide amendment? Why
21 just Marina Del Rey? I think that's discrimination. It
22 unfairly puts a burden on us to satisfy elitist demands,
23 and I don't think that's right. It's not fair to the
24 people of Los Angeles County.

25 What is the public benefit of this project?

1 The lessee applicant did not answer this question
2 satisfactorily, in my opinion. It's not a residence; so
3 they're not providing affordable housing. It's not a
4 hotel; so they're not providing the affordable
5 accommodations or a hostel component in the development,
6 and they're avoiding paying the bed tax. That's going
7 to be less revenues for the county. It's not -- it's a
8 lesser return than almost any other use on this land
9 might be. If it was residences, you would have more
10 benefit. If it was a hotel, you would have more
11 benefit, yet they're using hotel credits to develop it;
12 so why not a hotel.

13 It's not congregate care. There's no skilled
14 care staff requirements. There's more limited services.
15 It doesn't really know what it wants to be when it grows
16 up or goes up if it goes up. I hope it doesn't.

17 You said it yourselves several times during the
18 commentary: high end. The County really does not
19 belong in the luxury housing market. And please recall
20 it is the County who is the landlord here: you, me, all
21 of us. And we bought and paid for it for recreation,
22 and now you're trying to take a public use-only park or
23 parking restricted and give it away to one of the lowest
24 and even lower than low, because it doesn't even exist
25 in county code anywhere, zoning uses. It defies reason

1 and logic.

2 And I would just like to end with one question
3 that I think you really need to ask and get a thorough
4 answer, which is who decides what an active senior is:
5 the renter or the landlord.

6 Thank you.

7 COMMISSIONER BELLAMY: Thank you very much.

8 Yes, ma'am.

9 MS. SHAPIRO: Good morning, Commissioners. I'm
10 Lynn Shapiro, a resident of Marina Del Rey.

11 A luxurious passive senior housing development
12 will generate traffic despite its limited parking.
13 Service trucks, some employees, and visitors will be in
14 and out all day and all along Admiralty Way.

15 I visited a beloved friend in a facility like
16 this. There were lunch and dinner guests daily and
17 children, adult children, picking up parents to take
18 them out.

19 If that project sat alone near the intersection
20 of Admiralty and Palawan Way, we might be able to absorb
21 its traffic or at least put up with it. It does not sit
22 alone.

23 Please look at the illustrations that I gave
24 you.

25 It is duplicitous to consider this project by

1 itself without the enormous shopping mall which you will
2 be asked to approve later. It is directly across
3 Admiralty Way from this senior citizen OT parcel.

4 That project, the second one on the visual I
5 provided, will consist of four or more buildings on
6 Parcel 33, which the former Edie's Diner and Harbor
7 House occupied. The parking will be underground, myriad
8 of shops, restaurants, a market, offices, and possibly
9 residences will bring steady streams of traffic to this
10 intersection. The traffic lines will extend beyond the
11 Marina City Club in one direction and onto Via Marina in
12 the other.

13 It is absurd to grant permits to these projects
14 one at a time or even two at a time, especially if the
15 projects to be approved are not contiguous. Unless you
16 study all of the projects and the effects that they will
17 have upon this community during construction and later,
18 how can you grant permits wisely?

19 Santa Monica has taken the time to develop a
20 new 20-year master plan. Why is this not being done for
21 Marina Del Rey? It is folly to impose these new
22 projects, one or two at a time, on a 14-year-old coastal
23 plan, amending it at will to suit a developer, a
24 supervisor, supervisor's appointee. These developments
25 will affect the whole community. There will be killer

1 traffic jams on Admiralty by and from Palawan Way. How
2 can you consider OT without considering 33?

3 And by the way, while the seniors 60 and older
4 are being chauffeured by van and the rest of us are
5 sitting in traffic, what of those who come to boat and
6 cycle? On weekends they will sit in traffic and have
7 far less convenient access to their boats because their
8 parking lots have been co-opted. With a six-story
9 parking structure, they will need to carry supplies to
10 their boats on Parcel 21.

11 Those who cycle will be endangered as they try
12 to get to the designated bike paths on the east side of
13 Marina Del Rey through all the traffic; Marina Del Rey,
14 mandated and developed for recreation, the recreation of
15 the hard-working people of Los Angeles County, their
16 small boats and bicycles, not for wealthy seniors and
17 limos and commercial centers at the water's edge.

18 Thank you very much for your attention.

19 COMMISSIONER BELLAMY: Thank you.

20 Yes, sir.

21 MR. KOCH: Good morning, Commissioners. I'm
22 Larry Koch. I'm a resident of Marina Del Rey, have been
23 since '92.

24 I've seen a lot of development in the marina.
25 I think this is a good one. I want you to know that not

1 everybody in Marina Del Rey is against this development,
2 as you've heard here today and at other meetings. This
3 is a good responsible development of an underutilized
4 piece of land.

5 Goldrich & Kest's reputation has been maligned
6 here today. I'd like to point out that they are my
7 landlord. They are the landlord of an organization I
8 belong to in Marina Del Rey. They're also the landlord
9 of one of their naysayers that spoke here this morning.
10 That person has been a thorn in Goldrich & Kest's side
11 for many, many years, and yet they are still her
12 landlord. I find that interesting.

13 We talk about the elite and why is public land
14 being used for the elite. It should be no surprise
15 anything on the west side of this county is for the
16 elite. Any housing in and around Marina Del Rey is more
17 expensive than anywhere else in Los Angeles County.
18 They're not building any more beach.

19 It's quite simple. If you want cheap housing,
20 move east. There's lots of open land, lots of cheap
21 housing. If you can't afford it, my heart goes out to
22 you.

23 Those of us who can afford to live on the west
24 side choose to do so because of the lifestyle we have
25 here. We love the beach. We love the water. We love

1 the marina. We love boating. And we should not be
2 chastised because we can afford it.

3 Those people who will choose to live in this
4 facility, once it's approved, are fortunate in that they
5 can afford to live there. They could probably live on
6 Wilshire Boulevard, too, on the west side in some very
7 exclusive senior housing. I'm sure you're all aware of
8 that whole row of multi-story apartment buildings.

9 This is a small facility for a select small
10 group who choose to live here. Nobody's being forced to
11 live here. It's a nice opportunity for those who can
12 afford it, and I think it should move forward.

13 Thank you very much.

14 COMMISSIONER BELLAMY: Thank you, sir.

15 UNIDENTIFIED MALE SPEAKER: Mr. Chair, I'm
16 reminded that Mr. Nahas was not sworn in.

17 MR. TRIPP: He was not. He went to the
18 bathroom.

19 UNIDENTIFIED MALE SPEAKER: He is the last
20 speaker.

21 COMMISSIONER BELLAMY: He's the last speaker.

22 Do you swear or affirm under penalty of perjury
23 that the testimony you may give in the matter now
24 pending before this commission shall be the truth, the
25 whole truth, and nothing but the truth?

1 (Inaudible response.)

2 COMMISSIONER BELLAMY: Thank you.

3 You have four minutes. Have a seat and give
4 your name.

5 MR. NAHAS: Good morning, Chairman Bellamy,
6 Commissioners, and Santa. That's what my students used
7 to call Mr. Helsley. My name is John Nahas. I'm with
8 the boating coalition.

9 You heard only 89 spaces were used in Parking
10 Lot OT during Fourth of July. What you didn't hear is
11 that people were driving around for a half an hour to
12 try to find parking on the streets of Venice and walking
13 to the marina to avoid the parking fees.

14 You heard that parking was never planned in
15 Marina Del Rey, and this is simply an absurd statement.
16 While the planning process may have improved over the
17 years, please don't believe there was a void of
18 qualified planners and engineers that thoroughly looked
19 at the placement of these lots.

20 In fact, the Coastal Commission recently heard
21 about the parking concerns near the beach in Venice and
22 the controversial overnight parking ordinance that you
23 may have heard. You heard that this needs to be
24 developed because of the changing needs of our aging
25 population.

1 I am also concerned about the needs of our
2 aging population, but luxury dwellings with the use of
3 limousines on our public lands for all of our citizens
4 is inappropriate. We should be encouraging the use of
5 our public lands for all of our citizens, not just the
6 wealthy.

7 Mr. Rew, you are the -- one of your statements
8 was where are the grandchildren going to park. They,
9 too, may have limousines and drivers.

10 While county counsel does not consider these
11 dwellings -- these particular places dwellings and
12 therefore are not subject to the Mello Act, this needs
13 to be seriously challenged by you.

14 An important analysis that was prepared by the
15 Department of Beaches and Harbors and further
16 illustrates the intent of the marina of how this luxury
17 living facility is not an appropriate land use was
18 placed on a laptop and quite unfortunately broke. And
19 no hard copies could be found or reviewed by the public.

20 The sole proponent of this project today will
21 not identify himself as a yacht club member. Truly,
22 there are strange things happening in what Mr. Hafetz
23 has asserted to this commission in his extensive
24 research that this is the crown jewel of water use for
25 the citizens of Los Angeles County. I'm not going to

1 continue to dispute the facts with you regarding this
2 project.

3 There are two major problems here despite the
4 distortion of the details. The first big issue is that
5 the public process needs to be upheld, and it is your
6 obligation -- in fact, your duty as commissioners
7 representing all of the citizens from your respective
8 districts -- to ensure that the process is in order.

9 Commissioner Rew's comments again regarding
10 these projects in Marina Del Rey are germane. The
11 Department of Beaches and Harbors continues to subvert
12 the public process and upend the order of which these
13 permits are being heard.

14 Options -- in fact, commitments -- have been
15 signed by the Department of Beaches and Harbors which
16 help exacerbate the situation and are a cause of the
17 urgency to expedite and taint the regulatory process.
18 Beaches and Harbors and county counsel had to halt the
19 deliberations of this Planning Commission in order to go
20 to private quarters, a further indication that something
21 is wrong.

22 What you didn't hear from Ms. Culbertson is
23 that the Coastal Commission staff has stated they do not
24 want to see any more residential in Marina Del Rey. In
25 fact, the Coastal Commission was poised to deny the

1 applicant's waterside project in November because of the
2 huge slip reductions which they had been made clear they
3 were not going to accept.

4 The director purported that they withdrew the
5 application because they felt that the entire commission
6 needed to hear the project, as some commissioners were
7 going to leave early that day.

8 The second biggest issue here is the continued
9 morphing of the intent of the marina. Mr. Modugno got
10 it part right. While it may have been the supervisors
11 that initiated the morphing and while the cloud of Bruce
12 McClennan's allegations of improper interference in the
13 planning process looms, it is this commission's
14 authority to undo the wrong and should not be left up to
15 the supervisors favoring each other's district
16 improvements.

17 COMMISSIONER BELLAMY: Can you wrap up, please?

18 MR. NAHAS: Sure.

19 The public deserves your scrutiny here and your
20 adherence to a general planning of the parcels in Marina
21 Del Rey.

22 Happy holidays. And, Santa, please bring me a
23 fair and appropriate use of public lands.

24 COMMISSIONER BELLAMY: Thank you very much.

25 Okay. The applicant? You get a total of --

1 No. Huh-uh. They should be able to address
2 the issues that are brought up.

3 -- for the two items, a total of ten minutes.

4 MS. CULBERTSON: Mr. Chairman, members of the
5 commission, once again, Andi Culbertson, on behalf of
6 the Department of Beaches and Harbors. Just a few
7 bullet point items, please.

8 There was a witness that indicated that the
9 truck/trip traffic was wrong in the EIR. I think we've
10 demonstrated that it is not wrong in this EIR, but he
11 raises, and he raised before, an issue that it might be
12 wrong in other EIRs. We don't believe so. But those
13 items will be heard in February, and the department has
14 already instructed those consultants as to this witness'
15 concern about how the trips were generated. So a full
16 explanation will be available.

17 But we have reviewed the explanation provided
18 by the EIR consultant and are confident that in this EIR
19 that the distribution between waste, which is, you know,
20 the demolition of the buildings, the parking lot, and
21 the dirt, is correct.

22 Number 2, let me -- and perhaps we gloss over
23 and perhaps what might be a good idea, which I can
24 recommend to the directors, we come and have a meeting
25 with your commission with your permission and explain

1 what was explained to the Board of Supervisors and to
2 the Coastal Commission as to our approach in Marina Del
3 Rey.

4 We are aggregating the LCP amendments that were
5 really born out of the entitlements that were given in
6 1996. It won't be any surprise to this commission. It
7 takes a very long time on public land to -- after you
8 receive an entitlement, and it can take 14 years to
9 properly advertise, identify the project, select the
10 lessee, design the project, receive the review of the
11 environmental process, et cetera. So it takes a very
12 long time to come to this point.

13 So these projects really came -- like this
14 one -- came out of the ideas that were born in the 1996
15 amendment and are not asking for any additional
16 entitlement at all. We are simply moving entitlements
17 that the County already has secured.

18 The visioning process, the five-year visioning
19 process, that I mentioned, as was reported to the
20 commission, Coastal Commission, the Board of
21 Supervisors, is a process that takes place after the
22 aggregate or pipeline project amendment is heard by the
23 Coastal Commission. That's something -- that's why
24 we're taking this intermediate step and not disposing of
25 all the parking.

1 The parking study, as you were told, there are
2 approximately -- don't hold me to this number, but I
3 mean, there are approximately 2700 public parking
4 spaces. And adding as much padding and buffer and out
5 to 2030 and ambient growth, we can't find justification
6 for more than 1175. That's the order of magnitude we
7 are talking about, and in this project it replaces all
8 the parking and adds opportunity for parking.

9 In terms of the inconvenience of walking, I
10 think the thing that is clear in the beach parking is
11 that when people go to the beach, they just don't take a
12 stroll like I did last night with my hands stuck in my
13 jacket pockets. They're carrying beach chairs. They're
14 carrying baskets. They're carrying -- and it's a
15 little -- I would say that that is a little inconvenient
16 for beach parking in the Parcel OT.

17 We have looked at park and ride facilities.
18 The County does not control the public transportation
19 use in Marina Del Rey. That is a larger issue. But we
20 are looking at that. This is not a desirable site for
21 that, by the way. There are other areas that are more
22 desirable from the MTA's viewpoint and from the Culver
23 City bus viewpoint.

24 The hotel credits -- there was a witness that
25 suggested that hotel credits are being used. I want to

1 show -- describe to the commission that the structure
2 and the architecture of the LCP is such that it was set
3 up deliberately to convert land uses.

4 In other words, it was recognized by the County
5 and the Coastal Commission that if they give you 500
6 hotel units that you might not use them as hotel units.
7 And they are converted on the basis of a PM peak hour
8 generation. So it's not true to say that we are
9 conver- -- we have hotel credits. We have land uses
10 that are convertible in the LCP, and it's always been
11 that way.

12 The shopping mall -- I think that the witness
13 was referring to the proposed project, one of the
14 pipeline project LCP amendments known as Parcels 33/NR,
15 is basically catty-corner to this project. And I want
16 the commission to know that the EIR fully analyzes and
17 discloses the complete effects of that project. In
18 fact, it's a larger project because of when this EIR was
19 written than the department actually agreed to consider.

20 So this is a project that is a mixed use
21 project, and it is fully within the EIR, and all of the
22 impacts are addressed in that way. We would not allow a
23 project to proceed without considering all of the other
24 projects not only in Marina Del Rey, but also in the
25 surrounding area.

1 If there had been professionals planning the
2 parking in Marina Del Rey, it's not in your Regional
3 Planning Department records. As a matter of fact, many
4 of the lots are relics of the -- of, I believe, the 1984
5 Olympics. And they were just established and left
6 there. So it's not a true statement, in my view, that
7 the public parking lots were rationally and deliberately
8 planned and placed in the best locations.

9 In terms of the Coastal Commission stating that
10 they don't want to see any more residential, the
11 commission, I believe, is aware of the periodic review
12 findings. The commission did not want to add
13 residential entitlement to Marina Del Rey. Now, that's
14 not quite the same, in my view, as saying no more
15 residential. In other words, that would be the
16 commission saying you cannot use the entitlement that we
17 gave you. That is not what I believe the commission
18 said.

19 And I thank you for the commission's attention.

20 COMMISSIONER BELLAMY: Thank you.

21 Yes, sir.

22 MR. GARDNER: Thank you. I'm Sherman Gardner,
23 again for the applicant.

24 A comment was raised in regards to the design
25 control board. When we submitted our Parcel 21 note to

1 the design control board, absolutely nothing has
2 changed. The document is here for public scrutiny, if
3 you like. The parking structure is identical as it
4 appeared when we appeared before the design control
5 board.

6 Let me just take a second of your time and tell
7 you why we love this business. It's tangible. You can
8 sit here all day long and listen to people complain and
9 talk about what should have been, what was, and what
10 could be. The beauty part about our developments is you
11 can go out and touch them. I invite you to come and see
12 Palm Court. You will see that it is absolutely an added
13 attraction to the city of Culver City.

14 The one thing that we feel in Marina Del Rey
15 obviously is that this amenity is not existent. Why
16 not? Why shouldn't it be? Condominiums are being
17 built, single-family residences. These are not for
18 moderate housing needs. These are, as was pointed out,
19 high-end quality kinds of housing.

20 Seniors deserve to live in facilities like
21 these. It's kind of the end of their life. It's hard
22 to depict it that way, but they deserve the best. And
23 what we are trying to do is to give them the best.

24 Culver City is a recipient of that kind of
25 housing, and all you need to do is take a look and you

1 will see for yourself exactly what is being contemplated
2 and what is being achieved by housing of this nature.
3 It's just too bad there's not more of them.

4 Seniors do not want to live with their
5 children. They want to keep their dignity. They want
6 their independence. That's what this is all about.

7 In regard to the parking, we will certainly --
8 I thought you had it -- we will certainly give you
9 whatever you need in regard to the parking. If there
10 needs to be some alterations or changes in regard to
11 security, we're happy to do that. This is the way we
12 initially felt the development would operate and
13 function. If there's a better way of doing it, we're
14 certainly receptive.

15 But I think you need to see Palm Court, and the
16 reason we keep alluding to Palm Court is it exists.
17 It's not something that we're just contemplating or just
18 thinking about doing. It's an actual living, breathing
19 facility that's been there for 20 years. Twenty years.
20 The majority of the residents fortunately kind of grew
21 up, if you will, in this facility. They moved in in
22 their 70s. They're there in their 90s. I think you
23 need to talk to them and you'll see.

24 Mrs. Culbertson mentioned to me as recently as
25 last night that she's never walked into a facility where

1 she saw people smiling and people happy. There's a
2 reason for that. And the reason for that is that we are
3 receptive to the needs of our residents as we are in
4 Marina Del Rey.

5 I do not know what is being -- we're being
6 accused of in regard to board and care, that we've had
7 all kinds of discussions in relation to our planning.
8 What wound up being approved was a senior facility for
9 60 units. That's what's there. It was the first -- it
10 was the first in Marina Del Rey of its kind, and I --
11 we -- I think residents enjoy that kind of facility.

12 One last point. The Capri Apartments, which is
13 our latest development in Marina Del Rey, which is
14 contiguous to all of our developments --

15 COMMISSIONER BELLAMY: Can you wrap it up,
16 please?

17 MR. GARDNER: I'm sorry. I'd be happy to.

18 COMMISSIONER BELLAMY: Thank you.

19 MR. GARDNER: -- that facility does house
20 low-income housing. We were the first.

21 COMMISSIONER BELLAMY: I think you mentioned
22 that before.

23 MR. GARDNER: Thank you.

24 COMMISSIONER BELLAMY: Thank you very much.
25 Thank you.

1 MR. GARDNER: Thank you.

2 COMMISSIONER BELLAMY: Any questions?

3 Thank you.

4 Discussion?

5 COMMISSIONER REW: Mr. Chairman --

6 Mr. Hafetz, the first two speakers mentioned
7 some legal issues. Could you respond to that?

8 MR. HAFETZ: Commissioner Rew, I think the
9 first speaker was referring to a memo that was drafted
10 by my office in 1980 that deals with price control
11 provisions and public property. A couple of the
12 responses that I have -- the first and probably most
13 important is that's not a land use issue. It's not an
14 issue that your commission would consider. That's in
15 the discussions the Board of Supervisors may have in
16 terms of leases, et cetera. So it isn't an appropriate
17 or proper for -- we don't deal with pricing at the land
18 use -- at the Planning Commission level.

19 But having said that, I can just assure you
20 that there will be -- whatever agreement is entered into
21 with the Board of Supervisors, there will be and there
22 always is in our lease provisions with the marina
23 lessees a price control provision which will be
24 obviously consistent with state law. And the idea of a
25 fair and reasonable pricing in the end is up to the

1 Board of Supervisors with the guidance of any cases or
2 regulations or statutes.

3 COMMISSIONER REW: Is that both issues?

4 MR. HAFETZ: Let me see if I -- hold on one
5 sec.

6 COMMISSIONER REW: Something about a permit.

7 MR. HAFETZ: Excuse me?

8 COMMISSIONER REW: Something about a permit.

9 MR. HAFETZ: Permit? Can you hold one second,
10 Mr. Rew?

11 MR. TRIPP: Well, she was discussing a previous
12 coastal development permit. I think it was from the
13 late '90s for Monte Carlo facility on Panay Way.

14 MR. HAFETZ: I'm not entirely sure what that
15 legal issue was, Mr. Tripp.

16 COMMISSIONER REW: She submitted something.

17 COMMISSIONER VALADEZ: It had to do with an
18 application which stated that there would be some board
19 and care which was later changed to a senior residence
20 and whether there was an issue with regard to the
21 application, some kind of a change that had occurred
22 during that period.

23 MR. TRIPP: The project did change --

24 MR. GARDNER: I think that's -- yeah, that's
25 more of a staff question.

1 Go ahead, Mr. Tripp.

2 MR. TRIPP: The project did change over time.
3 When it went to the Coastal Commission, it was changed
4 and I don't remember exactly what was proposed, but it
5 went from something along the lines of 71 units to 60
6 units. The project went to the Regional Planning
7 Commission, and then it was appealed to the Coastal
8 Commission. That's where it changed.

9 MR. HAFETZ: Mr. Rew, there was one other legal
10 issue that was raised that I put in my notes and I had
11 addressed it earlier when I was answering a question of
12 Commissioner Valadez.

13 There was an issue raised of discrimination.
14 And the testifier is correct that there are statutes
15 that deal with discrimination based on age. And as I
16 earlier mentioned in my discussion, we will make sure
17 that this project is properly conditioned consistent
18 with the (indiscernible) Act and the fair housing laws
19 to ensure that any of those antidiscrimination statutes
20 are complied with.

21 COMMISSIONER REW: Thank you.

22 Commissioners, as I've said before, the final
23 approval or disapproval of this really lies with others,
24 and the best way to handle that is to get it to those
25 others. A lot of things have been cleared up as far as

1 the parking as far as I'm concerned. And so in fairness
2 to the applicant, in fairness to everyone, I think it's
3 time to find out how the commission feels on this. And
4 then the applicant will know what to do and the public
5 will know what to do, what their next step should be.

6 So I would move that the public hearing be
7 continued to a date certain, that the director will
8 inform us of that date --

9 Let me finish the motion.

10 -- and that the Regional Planning Commission
11 instruct staff to prepare the final environmental impact
12 report and prepare a resolution recommending the
13 approval of Plan Amendment No. 200600109 to the Board of
14 Supervisors and prepare findings and conditions of
15 approval for Coastal Development Permit No. 200600002,
16 Conditional Use Permit No. 200600115, and Parking Permit
17 No. 20060009, and that the motion is to continue this to
18 a date certain, and prior to that date certain, the
19 staff will direct the questions that Commissioners
20 Helsley and Valadez had regarding the parking and
21 security issues.

22 MR. TRIPP: One thing I do want to mention, you
23 only gave the numbers for one project.

24 COMMISSIONER REW: Right. There's a second
25 motion.

1 MR. TRIPP: Oh, I'm sorry.

2 COMMISSIONER REW: Correct?

3 MR. TRIPP: Yes.

4 COMMISSIONER BELLAMY: Is there a second?

5 COMMISSIONER REW: First, do we have a date

6 certain so that the --

7 UNIDENTIFIED MALE SPEAKER: The staff would

8 recommend these two items be continued to April 7th,

9 2010.

10 COMMISSIONER BELLAMY: And you second that?

11 (Inaudible response.)

12 COMMISSIONER BELLAMY: Okay. It's been moved

13 and seconded.

14 Any further discussion?

15 MR. HAFETZ: Commissioner Bellamy, before

16 further discussion, just for clarification -- and I

17 agree with the motion to the extent the commission does.

18 Just that what we're instructing is for the staff to

19 prepare all the final documentation for approval, but it

20 will be for consideration for the board at -- for the

21 commission at the next continued date.

22 COMMISSIONER BELLAMY: Any further discussion?

23 COMMISSIONER HELSLEY: Two items. It will be

24 for the commission to consider before passing it on to

25 the Board of Supervisors.

1 MR. HAFETZ: Well, this will have to go to the
2 board because there's a legislative act. That's
3 correct.

4 COMMISSIONER HELSLEY: And the other thing I
5 think we've kind of missed and I would like to have it
6 included in this, if I may, and that is, would they
7 designate the parking location for the limos and the
8 multi-person van in that parking material?

9 COMMISSIONER REW: You have to listen to the
10 transcript. I think they'll find that issue because I
11 said the parking and security issues would include, I
12 think, what you're concerned with.

13 COMMISSIONER BELLAMY: Any further discussion?

14 COMMISSIONER VALADEZ: Just so that staff is
15 aware, it is a part of this discussion as to whether we
16 have adequate parking or not, and I don't believe we do.
17 So I'm going to go on record for saying that the parking
18 permit -- I don't agree with it.

19 The City of Culver City in its document that
20 you sent to us uses the .35 spaces per unit solely for
21 the residential parking. They acknowledge that there is
22 going to be additional parking for guests above the
23 3.5 (sic), not just the 3.5. So that the concept of
24 that being sufficient for the residential is just
25 residential parking, not guest or employee parking. I

1 don't even know if they considered employee parking at
2 the time since they weren't very familiar with it.

3 Then, secondarily, what I'd like to do -- one
4 of the reasons that I did not comment, et cetera, during
5 the showing of various elevations or the lack of
6 elevations that we had for Washington Boulevard is that
7 I'd like to ask that this be taken to the design review
8 board for purposes of checking the promenade for
9 compliance with the issues that were raised previously
10 about the promenade enhancements, the quality of them,
11 the shade structures, et cetera.

12 I'd like to have that and also for them to be
13 able to take a better look at the elevation for
14 Washington Boulevard and the various elevations for the
15 way in which they interact with pedestrians; so that
16 between now and the time that we come back, I'd like to
17 have seen it go through the design review board and then
18 come back with an approval from the design review board.

19 COMMISSIONER HELSLEY: Mr. Chairman, some of
20 you may wonder why with this large potential increase in
21 residential use I have not brought up the question of
22 water. Well, this is from the west basin. The west
23 basin comes from the San Gabriel River predominantly, in
24 that area. So it has basically its water needs met
25 adequately.

1 COMMISSIONER BELLAMY: Any further discussion?

2 COMMISSIONER REW: Yes. Mr. Hafetz, we have a

3 motion and a second, and I neglected to include

4 something in my motion. How do we handle this? A

5 substitute motion? Addendum?

6 MR. HAFETZ: You can reconsider your own

7 motion -- ask the commission to reconsider your motion

8 because then there's also the amendment from

9 Commissioner Valadez as well. I think that was an

10 amendment.

11 So I think it would be appropriate for the

12 chair to ask the commission to reconsider Commissioner

13 Rew's motion for clarification that he wants to make.

14 COMMISSIONER BELLAMY: Will we reconsider?

15 COMMISSIONER VALADEZ: Yes.

16 COMMISSIONER MADUGNO: Yes.

17 COMMISSIONER REW: I want to include the

18 minimum age requirement of 62.

19 COMMISSIONER BELLAMY: Is that part of your

20 second?

21 Any further discussion?

22 All in favor?

23 COMMISSIONER VALADEZ: Aye.

24 COMMISSIONER BELLAMY: Aye.

25 COMMISSIONER REW: Aye.

1 MR. HAFETZ: Just for clarity, that's
2 Commissioner Rew's motion with Commissioner Valadez's
3 amendment was approved.

4 COMMISSIONER BELLAMY: Yes.

5 COMMISSIONER VALADEZ: Can I just clarify that
6 he also was picking up the comments that I made with
7 regard to congregate care and the way in which the
8 definitions need to be changed.

9 MR. HAFETZ: Yes. I think what I'm getting
10 from the --

11 COMMISSIONER VALADEZ: Fine. Thank you.

12 COMMISSIONER BELLAMY: Commissioner Rew?

13 COMMISSIONER REW: Yes. This item doesn't --
14 the age requirement is not necessary for the second
15 motion; is that correct?

16 MR. TRIPP: That's correct. There isn't a
17 residential component for the Parcel 21.

18 COMMISSIONER REW: I move that the public
19 hearing be continued to April 7th, 2010, and that the
20 Regional Planning Commission instruct staff to prepare
21 the final environmental impact report and prepare a
22 resolution recommending the approval of Plan Amendment
23 No. 200600010 to the Board of Supervisors and prepare
24 findings and conditions of approval for Coastal
25 Development Permit No. 200600003, Conditional Use Permit

1 No. 200600223, and Parking Permit No. 200600015 to
2 include the concerns of Commissioner Valadez regarding
3 the parking because it's the parking, in general, that
4 applies to this motion.

5 COMMISSIONER VALADEZ: Also, I'd like to add my
6 request that it go to the design review board before
7 coming back here and get their approval.

8 Thank you.

9 COMMISSIONER REW: I would accept that.

10 COMMISSIONER BELLAMY: Is that part of your
11 second?

12 Okay. Any further discussion?

13 All in favor?

14 COMMISSIONER MADUGNO: Mr. Chairman, let me
15 just ask something. I think, as you're looking at
16 parking with this, it might be appropriate to back into
17 it; and that is, look at all of the uses in terms of the
18 employee parking, the retail parking, the guest parking,
19 and then that will determine what's left over and
20 whether that's five spaces, eight spaces, ten spaces,
21 and that then becomes the maximum number of spaces
22 available to potential residents. And so that
23 residents, just like other places that have limitation
24 to parking, you're applying to live here and you may or
25 may not have parking and parking is on a permitted basis

1 and it's first come, first served or you add to the fee
2 or something.

3 You know, San Francisco approves projects all
4 day long and never has parking because they want to
5 force people into using public transportation. Here's a
6 case, rather than saying there's so many spaces
7 available, let's go ahead, just max that and cap it and
8 make sure we have adequate parking for all the other
9 purposes, and then what's left over is to be used on
10 whatever basis the owner wants to allocate that parking.

11 COMMISSIONER VALADEZ: I'm not necessarily
12 going to agree with you. And the reason that I'm not
13 going to agree with you on that has to do with the fact
14 that we are taking a parking lot, which was public
15 parking, and we are saying we are providing that for you
16 as a public lot.

17 And when you say, Okay, well, everything else
18 is just extra and then that's what you're going to get
19 for the housing, it means, okay, everything else will be
20 parked in the public parking lot. And so the public
21 parking lot will take visitors. It will take any
22 additional employees. And those are spaces which we are
23 supposedly reserving for people who are going to be
24 using recreation, coming from outside of the marina.
25 And so I think we have to be especially careful that

1 we're not infringing on that parking lot.

2 And we do have a commercial use which is
3 relying on that parking lot also. So -- and it's a
4 commercial use which isn't parked. It doesn't have
5 parking, but it has a long-term lease with the County.

6 So I think we have an obligation to make sure
7 that we have enough parking; and if we have more
8 parking, that's fine. But not that we would err on the
9 side of having less parking, because you have a large
10 public parking lot right there which they can use and
11 which they will use. There's no street parking
12 available there. So the only thing that other visitors
13 could use is that particular public parking lot, and
14 that isn't the intent. That parking lot isn't intended
15 for the use of that -- of that particular residential
16 building; otherwise, yes, it's not a problem. But here,
17 I think, we have another kind of special situation.

18 COMMISSIONER BELLAMY: Any further discussion
19 on the motion?

20 All in favor?

21 COMMISSIONER REW: Aye.

22 COMMISSIONER BELLAMY: Aye.

23 A five-minute break. And then we'll move on to
24 Agenda Item 8X.

25 (End of transcription.)

**Design Control
Board Meeting Agenda,
February 17, 2010**

APPENDIX M



To enrich lives through effective and caring service

AGENDA

MARINA DEL REY DESIGN CONTROL BOARD *SPECIAL MEETING*

Wednesday, February 17, 2010, 6:30 p.m.

Burton W. Chace Park Community Building
13650 Mindanao Way ~ Marina del Rey, CA 90292

Design Control Board Members

Peter Phinney, AIA – Chair	- Fourth District
Simon Pastucha – Vice Chair	- Third District
Helena Jubany – Member	- First District
David Abelar – Member	- Second District
Tony Wong, P.E. – Member	- Fifth District



Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

1. Call to Order, Action on Absences, Pledge of Allegiance, and Order of Agenda
2. Approval of Minutes
Minutes for the January 20, 2010 meeting will be considered at the next regularly scheduled meeting
3. Design Control Board Reviews
None
4. Consent Agenda
The Chair may entertain a motion by a Board member at the beginning of the meeting to approve certain non-controversial agenda items as consent agenda items unless held by a Board member or member(s) of the public for discussion or separate action.
5. Old Business
 - A. Parcel OT - Oceana Retirement Facility - DCB #05-015-B
Reconsideration of public amenity improvements
 - B. Parcel 21 - Holiday Harbor Court - DCB #05-016-B
Reconsideration of promenade improvements
6. New Business
 - A. Parcel 22 - The Cheesecake Factory - DCB #10-001
Consideration of replacement signage
 - B. Parcel 50 - Waterside Marina del Rey - DCB#10-003
Consideration of new signage for Mendocino Farms, a new tenant
 - C. Marina del Rey Local Coastal Program Periodic Review - Presentation of County's Proposed Response

7. **Staff Reports**

A. Temporary Permits Issued by the Department

B. Ongoing Activities Report

- Board of Supervisors Actions on Items Relating to Marina del Rey
- Regional Planning Commission's Calendar
- Local Coastal Program Periodic Review Update
- Small Craft Harbor Commission Minutes
- Marina Design Guidelines Update
- Redevelopment Project Status Report

C. Marina del Rey and Beach Special Events

8. **Public Comment**

Public comment within the purview of this Board (three minute time limit per speaker)

9. **Adjournment**

ADA ACCOMMODATIONS: If you require reasonable accommodations or auxiliary aids and services such as material in alternate format or a sign language interpreter, please contact the ADA (Americans with Disability Act) Coordinator at (310) 827-0816 (Voice) or (310) 821-1734 (TDD), with at least three business days' notice.

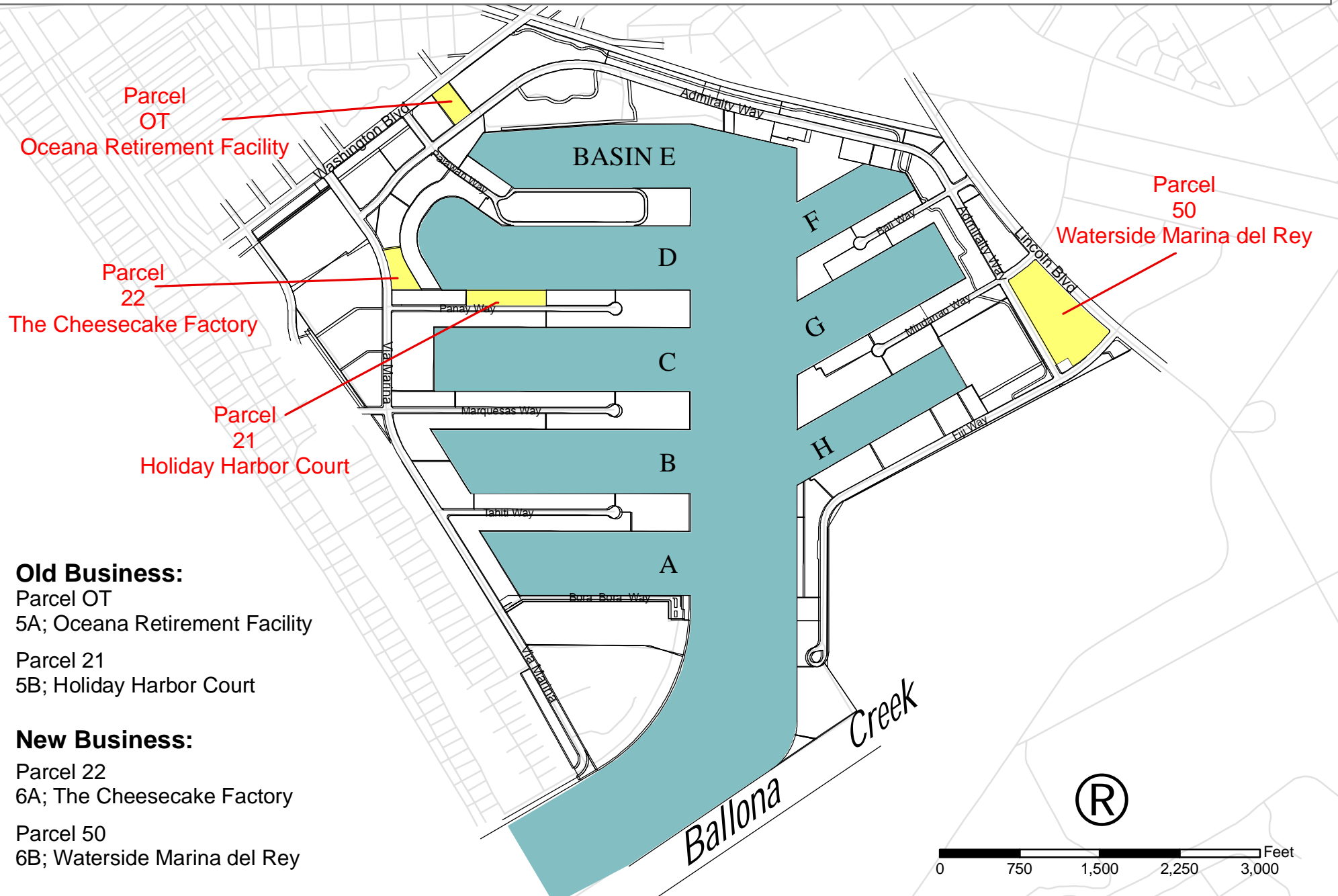
Project Materials: All materials provided to the Design Control Board Members are available (beginning the Saturday prior to the meeting) for public review at the following Marina del Rey locations: Marina del Rey Library, 4533 Admiralty Way, 310-821-3415; MdR Visitors & Information Center, 4701 Admiralty Way, 310-305-9546; Burton Chace Park Community Room, 13650 Mindanao Way, 310-305-9595; and (beginning the Monday prior to the meeting) Department of Beaches and Harbors Administration Building, 13837 Fiji Way, 310-305-9503. The material can also be accessed on our website at marinadelrey.lacounty.gov.

Please Note: The Los Angeles County Board of Supervisors adopted Chapter 2.160 of the Los Angeles County Code (Ord. 93-0031 §2(part), 1993) relating to lobbyists. Any person who seeks support or endorsement from the Design Control Board on any official action must certify that they are familiar with the requirements of this ordinance. A copy of this ordinance can be provided prior to the meeting and certification is to be made before or at the meeting.

Departmental Information: <http://beaches.co.la.ca.us> or <http://labeaches.info>

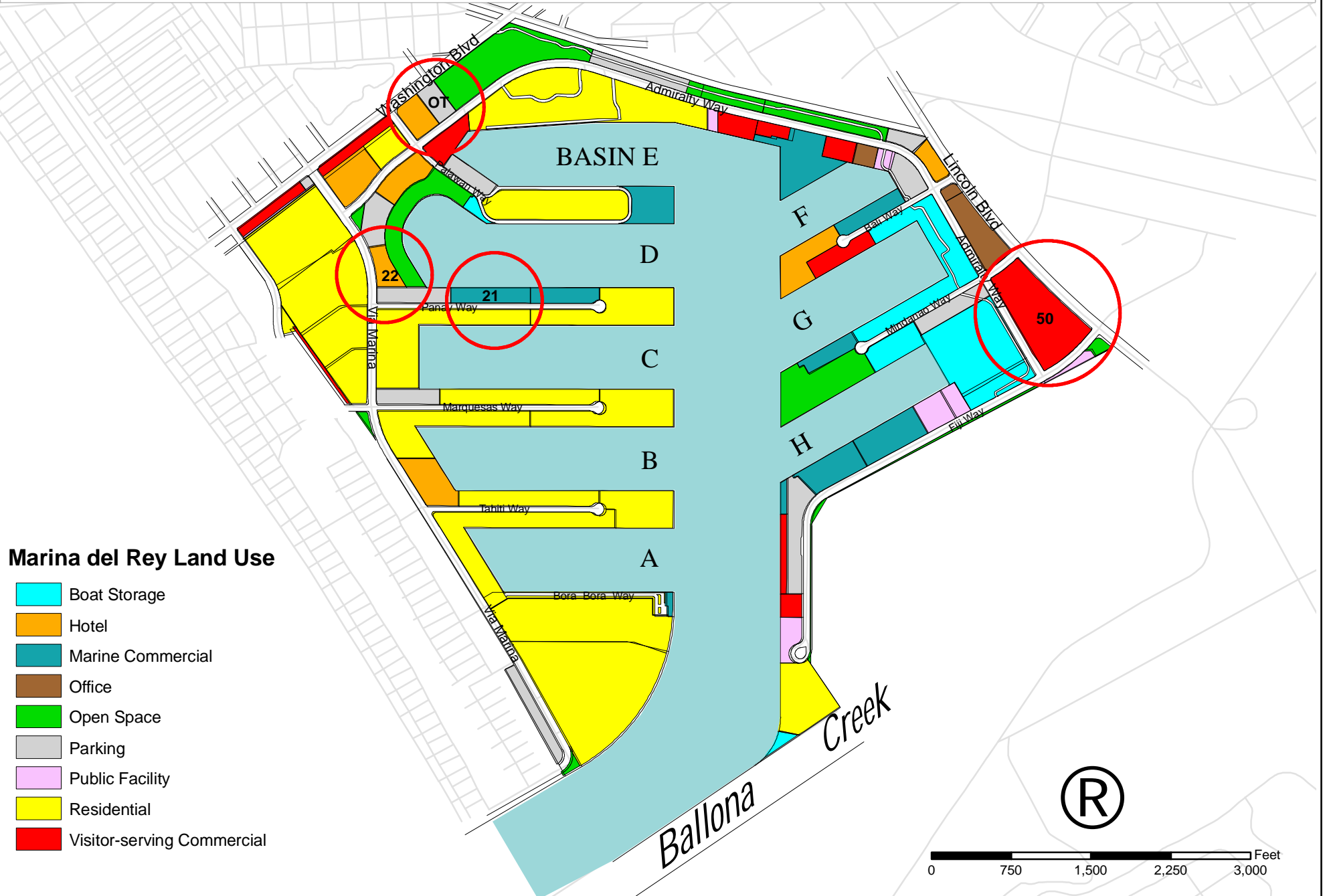


Locations of February 17, 2010 DCB Items





Marina del Rey Land Use Map for February 17, 2010 DCB Items





To enrich lives through effective and caring service



February 11, 2010

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

TO: Design Control Board
FROM: *Kerry Silverstrom for*
Santos H. Kreimann, Director

**SUBJECT: AGENDA ITEM 5A - PARCEL OT - OCEANA RETIREMENT FACILITY
DCB #05-015-B**

Item 5A on your agenda is a returning submittal from MDR Oceana, LLC (Applicant), seeking review and feedback on the enhanced designs for pedestrian access, public walkways, plaza and sidewalks proposed for the Oceana Retirement Facility project on Parcel OT located at 4220 Admiralty Way.

Background

On August 18, 2005, the Design Control Board (hereinafter "DCB" or "Board") conceptually approved Applicant's redevelopment project (DCB #05-015), with a condition to incorporate specific design elements and return for final review of landscape, promenade detail, signage, colors and materials. Copies of the August 11, 2005 staff report and Board Review for this project are attached. Since then, Applicant has continued to move its project through the development approval process. At the December 16, 2009 Regional Planning Commission (RPC) meeting, Applicant was requested by the RPC to return to your Board to seek additional review and conceptual approval for the following items:

- 1) The sidewalk view along Washington Boulevard and the pedestrian relationship to the retail storefronts; and
- 2) The hardscape and landscape elements along Washington Boulevard.

The proposed project consists of a new five-story building containing a 114-unit retirement facility providing active senior accommodations, 5,000 square feet of ground level retail space fronting Washington Boulevard that will be open to the general public, and parking to serve the retirement facility employees, residents and their guests, as well as the general public.

The architectural design of the building is an updated classical style with contemporary forms, which include a stone-like base, ornamental railings and tile roofing, coupled with metal-framed glass walls and projecting metal canopies. The proposed building also opens up to its surroundings with stepped back elevations along the second floor on Washington Boulevard and both the second and third floors facing Admiralty Way and the Oxford Retention Basin, a flood control facility.

Conceptual Pedestrian Access and Amenities

The proposed project provides for enhanced pedestrian-friendly access: 1) to storefronts and the public parking entrance on Washington Boulevard; 2) along walkways overlooking and alongside the Oxford Retention Basin; and 3) through mid-block connections between Admiralty Way and Washington Boulevard.

A linear "parkway" improved with a paved pedestrian walkway that connects to Admiralty Way and Washington Boulevard is planned along the project's northern edge. Most of this walkway follows a curved design that is 8' wide, except for a portion near Washington Boulevard that tapers down to 4'. It provides a convenient and more direct way for pedestrians to reach the retail spaces on Washington Boulevard from Admiralty Way. At its midpoint, this walkway connects to a 6' wide path leading into the project's public parking areas. The paving material for the walkway has not yet been determined but will match the material the DCB approves in the future when the Oxford Retention Basin improvement project comes before your Board. Plantings of Sycamore trees, shrubs and indigenous grasses are proposed along the pedestrian walkway.

The building frontage on Washington Boulevard contains retail space with an adjacent public plaza and enhanced public sidewalk. The linear striping of the concrete paving relates to the sandstone building façade and defines the plaza. The plant pots also add definition to the plaza while adding warmth to the seating area. The palm trees, aligned on both sides of the public sidewalk, enhance the pedestrian-scale space with a natural, open canopy. A bicycle rack, to be located at the north end of the public plaza adjacent to the pedestrian entrances to the public parking garage, will complement this public space and round out the welcoming feel of the storefront area.

The main entrance to the active seniors' facility on Admiralty Way contains a semi-circular automobile drop-off surrounded by extensive landscaping in a series of planters. The planters along the sidewalk on Admiralty Way will function as water filtration systems and present landscape beds adjoining the public sidewalk.

Parking for the public and retail customers is located on the western portion of the proposed project. There are convenient access points from this garage to the retail area through vestibules that lead to the public plaza. The second access point leads from the parking garage to the proposed pedestrian path between Admiralty Way and Washington Boulevard.

STAFF REVIEW

Applicant's enhanced landscape treatments and building elevation designs through public plazas and landscaped walkways improve the overall connectivity of pedestrians to the various project components and natural amenities. The detailed, alternating concrete paving of the Washington Boulevard public plaza, as well as attendant landscaping, seating areas and integrated walkways, create an attractive, interesting

urban environment for pedestrians. The landscaped pedestrian walkway planned along the north end of the site adjacent to the Oxford Retention Basin will provide a direct connection from Admiralty Way to the Washington Boulevard retail plaza.

Your comments will be summarized in a report prepared by staff and forwarded to the RPC for consideration at its April 7, 2010 meeting, when Applicant's project is scheduled to be heard. Applicant is aware that it must return to the DCB for final post-entitlement design approval as conditioned in your August 18, 2005 conceptual approval of the project.

The Department recommends APPROVAL of DCB #05-015-B, with the condition Applicant return following final approval of entitlements for final consideration of project site plans and building design, including lighting, landscape, materials, colors and signage.

SHK:CM

Attachments (2)



"To enrich lives through effective and caring service"



August 11, 2005

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

TO: Design Control Board

FROM: Stan Wisniewski, Director

SUBJECT: **AGENDA ITEM 5A – PARCEL OT – RETIREMENT RESIDENCE – DCB #05-015**

Item 5A on your agenda is a request by Goldrich & Kest Industries to allow a senior retirement residence at Parcel OT.

Currently, Parcel OT is a County parking lot containing 177 regular parking spaces and 6 disabled parking spaces, for a total of 183 parking spaces. It has frontage on both Admiralty Way and Washington Boulevard and is located immediately west of the Oxford Flood Control Basin (Oxford Basin). Access is provided along the west side of the site from an alley adjacent to the Marina International Hotel. The Flood Control District has maintenance access along the southeastern portion of the site to gain access to the Oxford Basin tide gates.

Proposed Project

The proposed project consists of a 114-unit retirement hotel (47 two-bedroom 1,050 square foot units and 67 one-bedroom 700 square foot units), 5,000 square feet of retail space located on Washington Boulevard and a landscaped public accessway area on the eastern edge, connecting Washington Boulevard and Admiralty Way. First floor resident amenities will include:

- 3,400 square foot lounge;
- entrance lobby with spiral stairs;
- 1,700 administrative offices; and
- reception area and other back office uses including restrooms, laundry, trash and mail.

Second floor amenities will include:

- 4,200 square foot private dining room;
- 900 square foot library;
- 1,000 square foot arts & crafts room;
- 1,500 square foot community kitchen;
- 1,000 square foot lounge;
- 200 square foot beauty salon.

Besides residence rooms, levels 2, 3 and 4 will include lounges, a chapel, card room and parlors.

The applicant describes the architectural design of the project as:

"... drawing inspiration from the classical style with a modern twist ... that the building does not replicate old buildings, but captures their quality in decorative designs that use similar materials and wall plans with contemporary details. With a stone like base, ornamental railings and tile roof coupled with metal framed glass walls and projected metal canopies, enhances the architectural character within contemporary forms."

The second and third floors of the building step back along Admiralty Way and the Oxford Basin, creating terraces useable by the residents for outdoor sitting, dining and recreation. To buffer traffic noise, a small fountain will be located at the drop-off zone at the front entrance. The paving material for this area and surrounding walkways will be colored concrete.

A colors and materials page is included in the submittal. Exterior paint colors include beiges and a golden yellow by Dunn Edward (SP 513, SP 1660 and SP 2250). The roof tile will match US Tile "Mission Tile Standard Red." Blue-green window glass will match PPG Industries, Inc. Solexia Float Glass. The silver colored window frames will match Alcoa Architectural Product Anodic Clear PPG#5VMA90055P. The freestanding frame, railing, canopies and balconies will match Wilson Partitions Light Champagne AB-1.

Parking

All of the public parking on Parcel OT must be replaced. The applicant provides 186 parking spaces, including the relocated spaces. The applicant has replaced 92 of the 186 parking spaces on-site and proposes to transfer the remaining 94 parking spaces to Parcel 21 on Panay Way. In addition to the on-site replacement parking spaces, the applicant will also provide 42 parking spaces for residents and guests, and 20 parking spaces to serve the retail portion of the project, for a total of 154 parking spaces on-site. There will be 115 parking spaces on the ground level and 39 parking spaces on the lower level (Washington Boulevard level). Washington Boulevard is approximately ten feet below Admiralty Way, as measured across the subject parcel, which creates the opportunity for the lower level parking while maintaining the grade at Washington Boulevard. Residents will have the use of a private shuttle service for local shopping, sightseeing and appointments.

Landscaped Connector Area

Currently on the eastern edge of the project, there is a bank area used by the public as a pedestrian connection between Admiralty Way and Washington Boulevard. The developer has agreed to provide pedestrian amenities, landscaping and maintenance in this area, which will be incorporated as part of the leased premises. This area is approximately 20 to 35 feet wide by 258 feet long. It will be landscaped with both shade trees, palms and lower-growing vegetation. The plant palette includes: Pink Melaleuca, Mexican Fan Palm and the pedestrian connection will include both a linear hardscape and curved pathway.

Landscaping & Decorative Hardscape

The applicant has provided a landscape plan, indicating a plant palette that is divided into three zones: lower slope, middle slope and upper slope. Each zone will include native and drought-tolerant trees, shrubs and groundcover. Where possible, the existing plantings will remain.

Besides Pink Melaleuca and Mexican Fan Palms, new landscaping includes: Date Palms, Pink Flowering Plum, New Zealand Christmas Tree, Paws Castle, Dwarf Pink Hibiscus, Wild Lilac, Matilia Poppy, Century Plant, Coyote Bush, Sedge, California Gray Bush, Carrula Corymbulosa, Old Hamil Bamboo, Blue Fescue, Spanish Lavender, New Zealand Flax, Trailing Rosemary and Seneo Mandraliscae. Ackerstone concrete pavers, in a variety of colors (Oak Creek Blend, Olive Green and Pewter) will be used throughout the project to create interesting paving patterns throughout.

STAFF REVIEW

The proposed project site is currently a public parking lot and to the east, there is a bank area that receives public use as a pedestrian short cut between the City of Los Angeles and Marina del Rey (Washington Boulevard and Admiralty Way, respectively). The Department supports the proposed design, particularly the corner step-back on the second and third floors facing Admiralty Way, and the improved bank area-facing Oxford Basin. Not only will this prevent the building from having a typical box design, it will provide an attractive and useable outdoor space for the residents and the public. The landscaping and pedestrian improvements to the eastern edge, greatly improving the pedestrian connection between Admiralty Way and Washington Boulevard, will be a significant public benefit. While various design specifics (color and materials) are provided, the design may change during the entitlement process, and this project should be conditioned to return to the DCB following completion of the approval process.

Per the Local Coastal Program (LCP), Parcel OT is part of the Oxford Development Zone. Since there are no available entitlements beyond a fire station expansion, potential entitlements to allow a retirement residence will have to be borrowed from another development zone and/or obtained through the plan amendment process, which will require review by both the Department of Regional Planning (DRP) and the Coastal Commission. While replacement of public parking will occur, it will be both on Parcel OT as well as at a nearby location, Parcel 21. DRP will make the determination of required entitlements.

Although the site is designated as parking, it has a 140-foot height limit rather than the usual 40 or 45 feet typical for parcels with a parking designation. As the proposed project is five levels facing Admiralty (4 floors of apartments over ground floor parking) or 6 levels facing Washington (5 levels over lower ground floor retail), the building is likely to be approximately 55 feet high facing Admiralty or 65 feet high facing Washington, much lower than the maximum 140 feet allowed. There is a natural grade change from Washington Boulevard to Admiralty Way of approximately ten feet, which creates the opportunity for the lower level parking while maintaining the grade at Washington Boulevard.

The LCP also describes required public improvements (*"The regional bike trail shall be retained or reconstructed as part of any redevelopment affecting these parcels"*) and special development considerations (*"Development of uses other than public parking shall be conditioned to provided replacement public parking on-site or elsewhere in the marina on a one-to-one basis such that there is no net reduction in public parking spaces. An area on the eastern property shall be reserved for future construction of a connector from Admiralty Way to Washington Boulevard, if necessary."*)

In this case, the South Bay Bike Trail runs along the Washington Boulevard in front of Parcel OT. As the vehicular access for the commercial portion of the project is off of an alley on the western edge of the project and not from Washington Boulevard, the applicant will need to consider the bike path during improvements to the existing alley. The project satisfies the special development considerations, by providing 1:1 replacement parking and an improved connector between Admiralty Way and Washington Boulevard.

154 parking spaces are provided on-site, which includes 42 parking spaces for hotel residents and guests, 20 parking spaces for the retail use and replacement parking for 92 of the existing 186 (or 183 per the Department's records) on-site parking spaces; with the remaining 94 parking spaces being provided on Parcel 21. This parking arrangement will require a parking permit from DRP. Of these parking spaces, 115 parking spaces will be on the ground level, 39 parking spaces on the lower level or Washington Boulevard portion of the site.

Currently, the area on the eastern edge of the property is unevenly sloped and rutted dirt (muddy during the rainy season), with little vegetation and is an unattractive, although convenient short cut for the public between Washington Boulevard and Admiralty Way. Transforming this area into an attractively landscaped area, with shade trees, other types of vegetation, benches, a curved path and ADA accessible path will be a great public benefit. It will also provide a scenic and active view as well as a walking area for the senior residents of the proposed project and for the public. However, this connector also contains two vaults on the Washington Boulevard side that need Department of Public Works (DPW) access as well as the adjacent area, the Oxford Flood Control Basin (commonly referred to as the bird sanctuary), which also needs regular access (including a space for a vehicle) by DPW, at gates near both Admiralty Way and Washington Boulevard.

With the exception of two species (*Washingtonia* and groundcover), the Department views the proposed landscape palette favorably.

Recommendation

The Department supports the proposed retirement hotel as well as the improvements to the public pedestrian connector between Admiralty Way and Washington Boulevard. The proposed project is in conformance with the *Specifications and Minimum Standards of Architectural Treatment & Construction*.

The Department recommends **APPROVAL** of DCB #05-010 with the following conditions:

- 1) Landscape plan be revised to replace the *Washingtonia*'s and groundcover;
- 2) Coordinate with the Department of Public Works, Flood Control District, regarding ensuring adequate vehicular and staff access to the Oxford Flood Control Basin; and
- 3) Following completion of the entitlement process, the project shall return to the DCB for review and approval of design details.



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Stan Wisniewski
Director

Kerry Gottlieb
Chief Deputy

Design Control Board Permit DCB #05-015

PARCEL NAME: Proposed Retirement Residence

PARCEL NUMBER: OT

REQUEST: Consideration of a 114-unit retirement resident project, 5,000 square feet of retail space and an "open to the public" landscape area on the eastern edge of the site.

ACTION: Approved in concept with conditions.

CONDITION: The interior court shall be redesigned to enhance its connection to the outside. It shall not be an interior atrium. The applicant must develop a scheme separating resident and public parking, signage alone is not adequate. The pedestrian walk to the public way from the parking shall be redesigned to increase its visibility and attractiveness. The stylistic elements on the building should be of a timeless, thoughtful design. A lighting plan must be submitted and minimize the use of uplighting. The property line shall be shown on the drawings. The materials and finishes for this project shall be of the highest quality.

MEETING DATE: August 18, 2005



To enrich lives through effective and caring service

February 11, 2010



Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

TO: Design Control Board
FROM: *Kerry Silverstrom for*
Santos H. Kreimann, Director

SUBJECT: **AGENDA ITEM 5B - PARCEL 21 - HOLIDAY HARBOR COURTS
DCB #05-016-B**

Item 5B on your agenda is a returning submittal from Holiday-Panay Way Marina, L.T. (Applicant), seeking review and feedback on the enhanced designs for the pedestrian promenade component of the Holiday Harbor Courts project proposed to be constructed on Parcel 21, located at 14025 Panay Way.

Background

On August 18, 2005, the Design Control Board (hereinafter "DCB" or "Board") conceptually approved Applicant's marine commercial and public parking redevelopment project (DCB #05-016), with conditions to include a public parking access layout and return for final review of landscape, promenade detail, signage, colors and materials. Copies of the August 11, 2005 staff report and Board Review for this project are attached. Since then, Applicant has continued to move its project through the development approvals process. At the December 16, 2009 Regional Planning Commission (RPC) meeting, Applicant was requested by the RPC to return to your Board to seek additional review and approval for the following items:

- 1) Promenade hardscape and landscape materials; and
- 2) Bench seating, drinking fountain, lighting and trash receptacle.

The proposed project consists of a complete redevelopment of Parcel 21 with a new commercial building, community park/plaza, waterfront promenade and a parking structure. The new community park and landscaped plaza will be located at the west end of the project site and provide a direct connection between Panay Way and the promenade. Adjoining the east side of the park is the proposed four-level marine commercial building, which provides replacement space for the existing retail and marine uses. Easterly of the building is the six-level parking structure, to be constructed partially below grade, with capacity for an estimated 447 parking spaces for use by the building tenants and their patrons, slip tenants, and the general public.

The proposed project also involves the dedication of 31,050 square feet of the Parcel 21 leasehold to expand the public parking lot on the adjacent Parcel GR to the west.

Conceptual Promenade Treatment

The project site plan shows three pedestrian access connections between Panay Way and the waterfront promenade, as well as community park connections to Panay Way and the promenade.

The proposed 28'-wide waterfront promenade continues the design elements of the existing promenade on the adjacent Parcel 20 (Capri Apartments), in terms of the color and pattern of the interlocking concrete pavers, style of the urban furniture, and landscaping. Specifically, six groupings of benches and trash receptacles are planned for the promenade along Parcel 21. Additionally, three light posts will illuminate the promenade near each of the connections to Panay Way. Palm trees are spread evenly along the promenade improving the overall pedestrian-scale environment.

A community park is planned on the west side of the property, close to and highly visible from Marina Beach. The park is an additional public amenity that merges with and complements the promenade. Park improvements include ten bench seats, concrete seatwalls, pole and bollard lights, and trash receptacles, all situated around the central part of the park. Park landscaping includes a large, grassy center area for passive recreation, bordered by date palms and olive trees. This central grassy area, as well as a planted area along Panay Way, will serve as a water filtration system. A drinking fountain is proposed for the northeast corner of the park along the promenade.

STAFF REVIEW

Applicant's enhanced promenade treatment concepts and community park plans provide highly useful pedestrian amenities. New pedestrian connections through the community park and between the proposed new buildings will make the project a more accessible, attractive and interesting place. Benches, trash bins, lighting and a drinking fountain will be located on the promenade for the benefit of boaters, visitors and employees.

Your comments will be summarized in a report prepared by staff and forwarded to the RPC for consideration at its April 7, 2010 meeting, when Applicant's project is scheduled to be heard. Applicant is aware it must return to the DCB for final post-entitlement design approval as conditioned in your August 18, 2005 conceptual approval of the overall project.

The Department recommends APPROVAL of DCB #05-016-B, with the condition that Applicant return to the DCB following final approval of entitlements for final consideration of project site plans and building design, including lighting, landscape, materials, colors and signage.

SHK:CM
Attachments (2)



"To enrich lives through effective and caring service"



August 11, 2005

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

TO: Design Control Board

FROM: Stan Wisniewski, Director

SUBJECT: **AGENDA ITEM 5B – PARCEL 21 – HOLIDAY HARBOR COURTS – DCB #05-016**

Item 5B on your agenda is a request to allow the redevelopment of Parcel 21 by replacing the two small existing commercial buildings (totaling approximately 16,000 square feet) with one larger, more efficient commercial building (approximately 29,000 square feet). The proposed project also allows the transfer of the approved Parcel 20 Phase II improvements (which includes yacht club assembly area, administration, offices, storage, kitchen (6,885 sq. ft.) and parking for 231 cars) and relocation of a portion of public parking from Parcel OT to Parcel 21. The proposed project is to be located on the eastern portion of Parcel 21, shown as Site C. The western portion of Parcel 21 is planned for Marina Beach public parking, or other public amenities as allowed, and will be brought before your Board at a later date.

Existing Uses

Currently, Parcel 21 contains the following uses: 10,000 sq. ft. health club housed in a 2-story wooden structure and 6,048 sq. ft. of retail and marine commercial offices housed in a separate 2-story wooden structure. The remainder of the site is used for surface parking for the aforementioned uses as well as boater parking. The site frontage on Panay Way is approximately 741 feet with a depth of approximately 150 feet, creating a parcel size of approximately 111,150 sq. ft.

Entitlement Background

The proposed development at Parcel 21 is related to the proposed development of four other marina parcels: Parcels 52 and GG; Parcel 20 Phase II and; Parcel OT. On February 6, 2002 the Coastal Commission approved a new commercial building on the eastern portion of Parcel 20 (Phase II) to replace the existing yacht club, marine commercial offices, associated parking and boater parking and approved a separate apartment building on the western portion of Parcel 20 (Phase I). Meanwhile, in 2003, a Request for Proposals (RFP) was issued for the development of a dry-stack boat storage facility and other boater amenities on Parcels GG and 52.

In order to accommodate the development of a dry-stack storage facility and other boater amenities on Parcel GG, the Department trailers existing on Parcel GG must be relocated. The principals of the Parcel 20 lessee are the same as the principals of the Parcel 21 lessee (Goldrich & Kest) and, pursuant to discussions with the Department (see accompanying memorandum entitled "Background of Agenda Items 5A and 5B Parcels 21 and OT") propose to dedicate the eastern portion of Parcel 20 (Phase II) for future development of a new Department office facility. Locating the Department office building on the eastern portion of Parcel 20 both enables the development of a dry-stack storage facility and other boater amenities on Parcels 52 and GG and allows for the consolidation of Department facilities currently located in a shared facility with the Sheriff on Parcel OT.

Parcel GG, in a single more efficient building. In addition, the Lessee seeks to develop a senior residence facility on Parcel OT and is required to replace all of the existing 183 public parking spaces on or in close proximity to Parcel OT. The lessee proposes to accommodate 89 of the spaces on-site and to relocate 94 public parking spaces to its proposed Parcel 21 facility. We believe that the relocation of these 94 parking spaces from Parcel OT to Parcel 21 is beneficial to the public, since records indicate that the utilization of available public parking on Parcel OT is far less than utilization of public parking on Parcel GR, located immediately west of Parcel 21, presumably because access to Marina Beach is closer and does not require crossing Admiralty Way from Parcel GR or from Parcel 21.

In summary, the proposed Parcel 21 project would benefit the public primarily by enabling the development of dry-stack facilities and boater amenities on Parcel GG; enabling the consolidation of Department offices in a more efficient facility on Parcel 20; accommodating the yacht club and other commercial tenants at lessee's current Parcel 20 facility without interruption during new facilities construction while providing additional new marine commercial space on Parcel 21 and; providing for greater accessibility to Marina Beach from relocated public parking.

Proposed Project

The proposed project includes a 4-story building with parking, a neighborhood mini-park, and promenade improvements.

The proposed building has a footprint of approximately 43,056 sq. ft. and a total gross building area of 215,280 sq. ft. and is 56 feet in height. The first floor will contain 13,000 sq. ft. and will include the health club and marine commercial replacement uses. The second floor will contain new and replacement marine commercial uses, while the third floor is entirely devoted to parking, including ramping. The fourth floor will contain space for the new yacht club roof and roof parking on the eastern section only.

Required and provided commercial spaces include: 1) Replacement of on-site uses – 6,048 sq. ft., 2) Yacht Club relocated from Parcel 20 – 5,000 sq. ft., 3) Professional offices relocated from Parcel 20 – 2,300 sq. ft. and 4) health club – 10,000 sq. ft., - a total of 29,348 sq. ft.

View Corridor

The proposed project site has 534 feet of linear water frontage. Two view corridors measuring 105 feet long and 41 feet long, for a total of 146 feet are proposed. For a 45-foot high building, a 20% view corridor is required. For every additional 1.5 feet of height, an additional 1% of view corridor is required. As the proposed building is 56 high, a view corridor of 27.33% (145.94 feet) is required. The proposed 146-foot view corridor would not meet these view corridor requirement.

Parking

Parking access will be from the middle and east sides of the building. The first floor of the eastern portion of the building will contain replacement public parking relocated from Parcel OT. Parking will also be provided on the second floor of the eastern side, on most of the third floor, as well as on and the fourth, fifth and roof levels on the eastern side of the structure. 447 parking spaces are both required and provided. This includes:

- Replacement of on-site uses – 94

- Yacht Club – 106
- Professional Offices from Parcel 20 – 6
- New Offices – 15
- Boater Parking – 112
- Replacement parking from Parcel OT – 94
- Health Club – 20

Architectural Description, Colors and Materials

The proposed structure is a combination of painted building, glass and aluminum. The applicant describes the building appearance as follows:

“Adjacent to the park in a scheme of horizontal floor to ceiling glass windows and aluminum banding that are transparent towards the water. This building, with its recessed ground floor and terraced upper floor, creates a floating effect and a strong connection to the water. The parking building is lifted at the ground level to allow for continuous pedestrian views of the water. The angular walls and the curved openings punched on the façade further connect the building to the water. The nautical design is characterized by extensive use of aluminum, blue-green glass and colors such as seaweed green and sand, as it accentuates the surrounding built environment.”

The submittal includes a color section page. A color board will be provided at the meeting. Colors and materials include a pale golden yellow by Dunn Edward (SP 2260) and a bluish-lavender (Boxwood SP 145), blue-green window glass will match PPG Industries, Inc. Solexia Float Glass, the silver colored aluminum wall, metal louver, railing and window frame will match Alcoa Architectural Product Anodic Clear PPG#5VMA90055P.

Neighborhood Mini-park

The proposed neighborhood mini-park measures approximately 85 feet by 110 feet and is the primary focus and view corridor for this project. It will include an open lawn area, terraced seating, trees along the edges perpendicular to the water, palm trees throughout, and a pedestrian path linking the street to the promenade. A gravel-filled dry well is proposed below the lawn area to retain and recharge some of the storm-water run-off from the site.

Promenade

The proposed promenade will measure 28 feet wide, since it is also a fire lane. It will be enhanced with interlocking pavers, benches, lighting, palm trees, fencing, signage and flowering shrubs. The quantity of benches and trash receptacles is not specified. While there are three lights with public promenade signage, it is unclear if there are only three lights total or more. For continuity, the promenade will be of the same concept (colors and materials) as the adjacent and almost completed Parcel 20, which has the same promenade concept as Parcel 18 -, also operated by the same lessee. Interlocking concrete pavers in a patterned color combination of Antique Brown, Charcoal, Terra Cotta and Buff is shown. Specifications are provided for the various improvements:

- Pole Light. Manufactured by Architectural Area Lighting, Universe Collection model in black. The straight vertical portion of the pole measures 12 feet high prior to the curve

from which the metal halide fixture hangs. The public promenade signage will have an 8-foot clearance.

- Fencing. Manufacturer not provided. Most of the picket-style bulkhead fencing will be 42 inches high, with the exception of the dock gates that will reach 6 feet high.
- Benches. Manufactured by Landscape Forms, Plexus Straight 4 Seat Embedment model in Blue Spruce. It measures 31 inches high by 30 inches deep by 8 feet long.
- Trash Receptacle. Manufactured by Landscape Forms, Plexus Straight 4 Seat Embedment model in Blue Spruce. It measures 20 inches in diameter and 40 inches high.
- Removable Bollards. Manufactured by Timberform Columbia Cascade, model 2190-RC in white.
- Planter. Manufactured by Quickcrete, model Wilshire. Sizes to be used include 36-inch diameter by 18 inches high and 42-inch diameter by 36 inches high.
- Tree Grate. Manufactured by Ironsmith, model Camelia, size 48 inches.

Public Access and Public Promenade Signage

One public accessway sign and three public promenade signs are proposed. The public accessway sign will be located at the driveway on Panay Way. The promenade signs will be located on light fixtures placed along the promenade. Both metal signs will have a white background, black lettering and a blue/green triple wave log in Sinclair "Patina Green" and measure 10 inches high by 18 inches wide.

Landscape Palette

Proposed trees include sixteen 20-inch box Date Palms, ten 36-inch box Lombardy Poplar, fifty Mexican Fan Palms (a mixture of 10-foot bare trunk height (BTH) and 20-foot BTH) and ten Giant Bird of Paradise (in a mixture of 24-inch and 36-inch box). Shrubs and groundcovers will include Kangaroo Paw, Alphonse Karr Bamboo, Blue Fescue, Tall Fescue, Blue Oat Grass, Big Blue Lily Turf (two varieties), New Zealand Flax, Seneco Mandraliscae, Bird of Paradise and turf.

STAFF REVIEW

This proposal is a request to allow redevelopment of Parcel 21 by replacing the two small existing commercial buildings with one larger, more efficient commercial building which will allow the transfer of the approved Parcel 20 Phase II uses (which include yacht club assembly area, administration, offices, storage, kitchen (6,885 sq. ft.) and parking for 231 cars), and relocation of a portion of public parking from Parcel OT to Parcel 2,1 shown as Site C on the accompanying diagram and located is on the eastern portion of Parcel 21. The existing site contains a health club and marine commercial uses which will be relocated on-site to the new structure as part of the proposed project. , Approval of the proposal would also facilitate development of a new dry-stack facility and boater amenities on Parcels 52 and GG; the development of a new Department office building on the easternmost portion of Parcel 20 and the relocation of 94 public parking spaces now located on Parcel OT to an area closer to Marina Beach. ,

Per the Local Coastal Program (LCP), Parcel 21 is designated as Marine Commercial, Water and Waterfront Overlay Zone. Required Public Improvements include a 28-foot wide promenade. Special Development Considerations include height category 3 (45 feet height limit with a 20% view corridor) unless an expanded view corridor is provided, then there is a 75-foot

height maximum with a 40% view corridor. With the possible exception of a small amount of new office space, the proposed land uses are consistent. The Department of Regional Planning (DRP) will evaluate and determine the consistency of the new office use as well as the entitlement issues involved with the transfer of the approved project from Parcel 20 to Parcel 21 and relocation of public parking from Parcel OT to Parcel 21. Although it appears that the view corridor and parking requirements will be met, DRP will fully evaluate and determine adequacy.

The building design is such that the massiveness of the structure is decreased by making it appear to be two different buildings due to the architectural design, color and materials used. The eastern portion of the building that is primarily a parking structure, is differentiated by abstract oval cutouts from a painted surface that show aluminum wall, metal louvers, railings and window frames. The pale yellow color contrasts with the primarily blue-green glass of the western portion of the building. In the cover letter, the applicant acknowledges the challenge of expressing the "architectural character of the surrounding neighborhood while designing the building to be functional". Additionally, by terracing the upper floor of the western portion of the building and through the use of glass and aluminum, the applicant attempted to create a floating effect and strong water connection. Both of these components lessen the mass of the building.

The proposed mini-park provides a pleasant public amenity while also providing a view corridor. By using palm trees in the interior, water views from Panay Way are maintained. The terraced seating will provide a pleasant and unobtrusive way for the public to use the park. If this is truly a public park, an additional public accessway sign should be located on Panay Way at the mini-park.

Due to Fire Department requirements, Parcel 21 will have a 28-foot wide public promenade. The lessee states that the proposed color of the pavers are the same as at Parcel 20 and 18. The Department notes that the adjacent parcel, Parcel 20 has a three-color scheme of pavers while Parcel 21 proposes the same three and one additional color paver. The Department believes that the four-color combination will be complimentary. The proposed color palette of various promenade amenities includes three colors: the light poles and fencing are in black, the bollards are in white and the benches and trash receptacles are in "Blue Spruce". The adjacent Parcel 20 has black bollards with the other items being consistent with those proposed on Parcel 21. The Department recommends that only two colors of metal accessories be used and that the bollards be painted black rather than white, and if necessary, reflective devices be attached to them. While three light fixtures are shown on the plan, all three contain "public promenade" signage. As they are unevenly spaced, it is unclear if there are only three lights or additional lights will be used so that they are placed at regular intervals. Lighting information should also be provided on the proposed light fixtures to be attached to the structure, particularly those facing the water. The Board has expressed concern about maintaining the darkness of the "night sky", so the lessee needs to clarify these questions.

Recommendation

The Department supports the proposed project. The proposed project is in conformance with the *Specifications and Minimum Standards of Architectural Treatment & Construction*.

The Department recommends APPROVAL of DCB #05-011 with the following conditions:

- 1) **Paint the bollards black in stead of white so that there are only two colors for the metal elements of the promenade (lighting, benches, trash receptacles and bollards);**
- 2) **Quantify the number of promenade light fixtures as well as their placement and building-mounted light fixtures so that the "night sky" is not compromised;**
- 3) **Add a "public accessway" sign on Panay Way at the mini-park;**
- 4) **Following completion of the entitlement process, the project shall return to the DCB for review and approval of design details including signage.**

SW:JJC:JAC



"To enrich lives through effective and caring service"



Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

Design Control Board Permit DCB #05-016

PARCEL NAME: Holiday Harbor

PARCEL NUMBER: 21

REQUEST: Consideration of a new building and severance of the westernmost portion of the parcel for future use as public parking.

ACTION: Approved in concept with conditions.

CONDITION: The applicant should consider the public benefit in the building layout; access for public parking; adding palm trees against the elliptical façade; and using the highest quality materials for the project.

MEETING DATE: August 18, 2005



To enrich lives through effective and caring service

February 11, 2010



Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

TO: Design Control Board

FROM: Santos H. Kreimann, Director

**SUBJECT: AGENDA ITEM 6A - PARCEL 22 - THE CHEESECAKE FACTORY
DCB #10-001**

Item 6A on your agenda is a submittal from The Cheesecake Factory (Applicant) seeking approval of proposed renovations to a freestanding pole sign and removal of a second existing pole sign. The restaurant is located at 4142 Via Marina.

Freestanding Pole Sign

Applicant proposes to renovate the existing freestanding sign, located along the entrance driveway facing Via Marina, with a more aesthetically pleasing and modern design. The existing sign has a maximum height of 21' with an overall sign cabinet measuring 9' high by 14' long. The proposed replacement sign will be lowered to a maximum height of 15' with the overall sign cabinet being reduced in size to 6'1" high by 10'1" long. The existing steel frame will remain in place and the pole cover and cabinet will be replaced. The existing brick base will be removed and replaced with quartzite stone tile, and a bronze aluminum pole cover will be added to the upper portion of the support pipe. The hand-laid mosaic tile face will be routed out and have push-thru plex letters with fluorescent halo illumination within the cabinet. A white LED border tube will trace the scroll work on the cabinet faces, adding to the soft illumination around the routed aluminum scroll work.

The proposed sign will read "The" over the words "Cheesecake Factory" over the words "RESTAURANT • BAKERY • BAR" over the word "BRUNCH" in the restaurant's custom font in dark red vinyl. The words "The" and "Cheesecake Factory" will be 18" high and the words "RESTAURANT", "BAKERY", "BAR" and "BRUNCH" will be 4½" high. The base of the sign will be located 7'10" above grade.

Patio Pole Sign

The sign to be removed and not replaced is a single-sided pole sign facing the parking lot near the promenade and just outside the outdoor patio, measuring 2'1" high by 5'2" long and located 8' above grade.

Proposed Hours of Illumination

The proposed sign will have halo illumination from internal fluorescent lamps and will be set to illuminate the sign from dusk until one hour after closing of the restaurant. The

restaurant currently closes at 11:00 p.m. Sunday through Thursday and 12:30 a.m. Friday and Saturday.

Staff Review

The proposed sign renovation consists of improvements to an existing pole sign that serves as the main business identification for the restaurant. The modifications proposed and the existing location of the sign are consistent with the *Specifications and Minimum Standards of Architectural Treatment and Construction* and *Revised Permanent Sign Controls and Regulations*; however, further review and approval by the Department of Regional Planning is required.

The Department recommends APPROVAL of DCB #10-001, with the condition that the Applicant obtains further review and approval from the Department of Regional Planning.

SHK:CM:GJ



To enrich lives through effective and caring service



February 11, 2010

Santos H. Kreimann

Director

TO: Design Control Board

FROM: Santos H. Kreimann, Director

Kerry Silverstrom

Chief Deputy

**SUBJECT: AGENDA ITEM 6B - PARCEL 50 - WATERSIDE MARINA DEL REY
MENDOCINO FARMS - DCB #10-003**

Item 6B on your agenda is a submittal from Mendocino Farms (Applicant), a new restaurant tenant at Waterside Marina del Rey, 4724 Admiralty Way, for approval of two new permanent business identification signs.

Storefront Façade-Mounted Sign

Applicant proposes to install one façade-mounted sign along the storefront facing the parking lot, which will read "Mendocino Farms" over the words "sandwiches and marketplace". The sign will be made of water jet-cut steel plates with a blackened chemical finish that gives the steel a simple and industrial appearance with low sheen. The words "Mendocino Farms", in Cocktail Shaker font, will measure 1'8" high by 8' long, underlined with a 4" black bar with the words "sandwiches and marketplace" in Gil Sans MT font cut-out. The sign will be 2' high by 8' long overall and will be located 16'1" above grade level.

Rear Entry Façade-Mounted Sign

The second proposed façade-mounted sign will be located along the service entry (east elevation) facing Lincoln Boulevard and will also read "Mendocino Farms" over the word "sandwiches". This sign will also be made of water jet-cut steel in black color. The words "Mendocino Farms" will measure 1'2" high by 5'6" long, also in Cocktail Shaker font, underlined by a 4" high black bar containing the word "sandwiches" in Gil Sans MT font. The proposed sign will measure 1'6" high by 5'6" long overall and will be located approximately 14' above grade.

Proposed Hours of Illumination

The Applicant proposes to illuminate the signs at the main and rear entrances with concealed LED backlighting from dusk to 11:30 p.m. The proposed hours of operation for Mendocino Farms will be from 11 a.m. to 10 p.m. daily, which is consistent with Waterside Marina del Rey's hours of operation.

Staff Review

Staff recommends approval of the two proposed business identification signs, which meet the intent of the *Marina del Rey Minimum Standards of Architectural Treatment and Construction* and *Revised Permanent Sign Controls and Regulation* and are consistent with the overall design of the Waterside Marina del Rey development. The illumination of the signs should be consistent with the center-wide hours of illumination approved by your Board for other signage in the center. Therefore, illumination of the main entrance sign is recommended from dusk until 11:30 p.m. or one hour after the closing of the last restaurant, whichever is earlier. The illumination of the proposed rear service entrance sign facing Lincoln Boulevard is recommended from dusk until midnight nightly.

Additional business identification signage on the storefront doors or windows (which require a variance), common at many of the stores in the center, was not included in this submittal.

The Department recommends APPROVAL of DCB #10-003 with the following conditions:

- 1) Applicant obtain further review and approval from the Department of Regional Planning;**
- 2) Main entrance sign shall be lit according to existing center-wide lighting hours, from dusk until 11:30 p.m., or one hour after closing of the last restaurant, whichever is earlier; and**
- 3) Rear entrance sign shall be lit according to existing center-wide lighting hours from dusk until midnight.**

SHK:CM



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February 11, 2010

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

TO: Design Control Board

FROM: Santos H. Kreimann, Director

**SUBJECT: AGENDA ITEM 6C – MARINA DEL REY LOCAL COASTAL PROGRAM
PERIODIC REVIEW – PRESENTATION OF COUNTY'S PROPOSED
RESPONSE**

Item 6C on your agenda is a presentation by the Regional Planning Department with respect to the County's proposed response to the Marina del Rey Local Coastal Program Periodic Review findings and recommendations of the California Coastal Commission.

Attached for your information is the current draft of the County's responses as developed by the Department of Regional Planning. A copy of this document is posted on the Department of Beaches and Harbors website at:

<http://beaches.co.la.ca.us/BandH/MdRLCPPERReviewCountyDraftResponses.pdf>

Because the drafting process is ongoing, a final and complete report on this matter is not available at this time.

SHK:GJ:CM:ks

Attachment



Los Angeles County
Department of Regional Planning


Planning for the Challenges Ahead



Richard J. Bruckner
Director

February 17, 2010

TO: Peter Phinney, AIA, Chair
Simon Pastucha, Vice Chair
Helena Jubany, Member
David Abelar, Member
Tony Wong, P.E., Member

FROM:  Gina M. Natoli, AICP, Supervising Regional Planner
Community Studies II Section

**SUBJECT: RESPONSES TO THE MARINA DEL REY LOCAL COASTAL
PROGRAM PERIODIC REVIEW**

On 30 April 2009, the California Coastal Commission transmitted to the County the Marina del Rey Local Coastal Program (LCP) Periodic Review. The Periodic Review consists of 68 recommendations that the Coastal Commission believes should be acted upon in order to bring implementation of the LCP into conformity with the California Coastal Act. The County is not required to act upon Periodic Review recommendations, but is required under State law to respond to the Periodic Review within one year.

With input from the community and other County departments, Regional Planning staff have evaluated each recommendation and drafted responses. Regional Planning has also sought input from the Small Craft Harbor Commission, and will meet with the Regional Planning Commission on 24 February. We would like your input on the draft responses and any suggested modifications you may have. Based on all input received by the end of February, including comments from the public, we will revise the draft responses as appropriate. The responses will be part of a draft report submitted to the Board of Supervisors for their consideration. The Board will make the final decision on the contents of the Periodic Review report, and approve a final version which the Board will direct be transmitted to the Coastal Commission. The County's report must be transmitted to the Coastal Commission by April 29, 2010.

Thank you for your assistance in evaluating the Periodic Review draft responses. Please contact me at 213/974-6422 if you have any questions. My office hours are Monday through Thursday from 7:00 a.m. to 5:00 p.m.

GMN:GMN

Attachment: Draft Periodic Review responses

COUNTY RESPONSES

This section contains detailed comments for each California Coastal Commission (CCC) recommendation.

Recreational Boating

- 1) CCC Recommendation: The County should require an updated comprehensive boater use, slip size, and slip distribution study which is no more than five years old for each dock redevelopment project that affects slip size and distribution of slips, to assess current boater facility needs within the individual project and the Harbor as a whole.

County Position: Support with modification.

Comment: The County has completed two studies, the Marina del Rey Slip Sizing Study and Marina del Rey Slip Pricing and Vacancy Study. Both studies considered public comment and were endorsed by the Small Craft Harbor Commission at its July 2009 meeting after discussions on the matter at three previous meetings in March, April and May 2009. The finalized reports will serve as the Marina-wide guideline for future dock redevelopment projects.

- 2) CCC Recommendation: Through the development review process and through improvements to existing facilities, continue to provide a mix of small, medium and large boat slips which is based on updated information from the comprehensive study discussed in recommendation 1 above.

County Position: Support with modification.

Comment: The County supports utilizing the Marina del Rey Slip Sizing Study, which recommends that Marina del Rey as a whole should maintain a slip mix for small, medium and large boat slips as follows: 50 percent of all slips should be for smaller boats 35 feet and under; 39 percent for the medium sizes, and 11 percent for the larger sizes. The Study does not recommend creating additional boat berth slips under 30 feet in length. The average slip length for Marina del Rey as a whole should not exceed 40 feet. Additionally, the Study provides a separate guideline for the redevelopment of individual marinas which allows for deviation from the aforementioned percentages as long as each marina's average slip size does not exceed 44 feet in length, unless there is justification.

- 3) CCC Recommendation: Section A3, Recreational Boating, Policy and Action e2, regarding the "Funnel Concept" for boat slip expansion, should be deleted as a policy and action from the Land Use Plan. The County should investigate other alternatives to increase recreational boating within the Marina, assure lower cost boating opportunities and adopt policies requiring implementation of such other alternatives as are found to be appropriate. Other alternatives that should be considered, but are not limited to:

- creating additional slips along the main channel, end ties, or other areas, where feasible;
- maintaining a mix of boat slip lengths throughout the Marina;
- increasing day-use rentals;
- encouraging boating membership programs;
 - requiring marinas that reduce the number or proportion of slips to provide public access to affordable lower cost boating opportunities for the general public through such mechanisms as: contributing fees to develop new boating

programs for youths, including disadvantaged youths, development of new lower cost boating facilities for all members of the general public; and encouraging boating membership programs; or similar mechanisms; continue to monitor existing launch ramp facilities, estimate projected increases in demand and develop measures to increase capacity where needed;

- providing additional boat storage facilities, including areas for small non-motorized personal watercraft (i.e. kayaks, canoes and dinghies).

County Position: Support.

Comment: The County is committed to maintaining a proper mix of boat slip length that is responsive to the demands from small, medium and large boats. The proposed Chace Park peninsula dock replacement project will provide increased opportunities for small boat storage and day-use rentals. This proposed project also provides additional boat storage facilities, for motorized and non-motorized personal watercraft such as rowing shells, kayaks, canoes, small sailboats and dinghies.

The Department of Beaches and Harbors (DBH) requires proponents of dock replacement projects to provide opportunities for low cost boating accommodations whenever possible. For example, marinas that reduce the number of slips are required to provide public access to affordable low cost boating by contributing fees to develop or expand existing boating programs for youths, including disadvantaged youths. Wherever practical, boating membership programs or other similar mechanisms will be encouraged. DBH continues to monitor the existing launch ramp facilities to ensure their continued availability to the public and is seeking funding to improve and lengthen their useful life. Additionally, the creation of an additional dock on the north side of the existing launch ramp docks for the public to tie up for staging/rigging as well as for short term visits to nearby landside visitor-serving facilities is being studied. This additional dock, if approved, will further enhance the capacity and functionality of the existing launch ramp by providing additional dock space for boats to be prepared without blocking the launch/retrieval areas of the launch ramps themselves.

- 4) CCC Recommendation: Through the development review process and through improvements to existing facilities, provide short-term day use docks at or in close proximity to visitor-serving facilities, such as parks, Fishermen's Village, and restaurants.

County Position: Support.

Comment: The proposed Chace Park peninsula dock replacement project will increase the short term, day-use berthing capacity for transient use. There will also be a 140-foot side tie dedicated for four-hour use and an additional 142-foot side tie that can be used for short-term purposes should there be demand for it. Marina-wide, DBH has secured arrangements with the various anchorages to provide a network of docks for water taxi landings that provide convenient access to visitor-serving facilities in the Marina, including parks and Marina Beach.

- 4A) CCC Recommendation: No reduction in total boat slips and no reduction in slips 35 feet or less in length.

County Position: Oppose.

Comment: Due to many factors, including current building standards, Americans with Disabilities Act access requirements, State design guidelines, and policy decisions such as the abandonment of the Funnel Concept, it is impossible not to lose any slips in the

redevelopment process. Additionally, it is not practical to continue developing small wet slips that have historically suffered the highest vacancy rates and for which options exist for dry storage, while there is a shortage of larger boat slips which do not have viable alternative storage options. However, the County will endeavor to create more dry-stack storage along with other options to help offset the loss of wet slips due to the various factors affecting the redevelopment projects and will endeavor to ensure a sufficient supply of boat slips in 35-foot-or-less category by following the guidelines set forth in the Marina del Rey Slip Sizing Study.

Marine Resources / Water Quality

- 5) **CCC Recommendation:** Development shall maintain, enhance and where feasible restore marine resources, including wetlands, submerged aquatic vegetation, or other important aquatic habitat areas as designated by local, state, or federal governments, consistent with Coastal Act Sections 30230 through 30233.

County Position: Support with modification.

Comment: Submerged aquatic vegetation and aquatic habitat areas are more appropriately regulated by the Coastal Commission.

- 6) **CCC Recommendation:** The LCP should be amended to require that all development that involves disturbance to shallow water marine substrate provide a pre-construction survey to determine the presence of eelgrass (*Zostera marina*) taken during the active growth period. If eelgrass is present within the project site, the project shall be redesigned to avoid impacts to eelgrass. If nearby eelgrass is impacted it shall be mitigated in conformance with "Southern California Eelgrass Mitigation Policy" Revision 8 adopted by the National Marine Fisheries Service.

County Position: Support with modification.

Comment: This issue is more appropriately regulated by the Coastal Commission.

- 7) **CCC Recommendation:** The LCP should be amended to require that all development that involves disturbance to marine water substrate within the marina and other shallow waters (up to approx. 250 ft. depth) shall provide a survey for the presence of *Caulerpa taxifolia* (*C. taxifolia*) consistent with the survey protocol required by the Southern California Caulerpa Action Team, SCCAT. If *C. taxifolia* is found within or in close proximity to the project site, it shall be eradicated prior to the commencement of the project.

County Position: Support with modification.

Comment: Disturbance to marine water substrate is an issue more appropriately regulated by the Coastal Commission.

- 8) **CCC Recommendation:** The LCP should be amended to update the policies, procedures and requirements associated with reducing polluted runoff and water quality impacts resulting from development. The update should revise policies and ordinances to ensure that Sections 30230, 30231, 30232, and 30240 of the Coastal Act, related provisions of the LCP, the County's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit and Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, adopted Total Maximum Daily Loads (TMDLs), State Nonpoint Source Control Plan, and Contaminated Sediment Task Force recommendations are integrated.

County Position: Support.

Comment: While the County's Low Impact Development Ordinance, effective January 2009, addresses some of the issues, others will be addressed in a future LCP update.

- 9) CCC Recommendation: The LCP should be updated consistent with the following principles and criteria, and to carry out the following provisions where applicable:

All development must address water quality by incorporating Best Management Practices into the development that are designed to control the volume, velocity and pollutant load of stormwater and dry weather runoff from the site during the construction phase and in the post-development condition. All new development and redevelopment projects shall integrate Low Impact Development principles designed to capture, treat and infiltrate runoff. Specific types of BMPs to be included in all development projects include site design and source control measures. In addition, treatment control BMPs shall be incorporated into all development and redevelopment types categorized as "Priority Development," under the Regional Water Quality Control Board-issued Los Angeles County Municipal NPDES Stormwater Permit and related Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, and where otherwise necessary to protect water quality in accordance with LCP marine resource and water quality related policies and provisions. The specific information necessary for an individual project will vary depending upon site characteristics and the kind of development being proposed.

County Position: Support with modification.

Comment: The County's Low Impact Development Ordinance, effective January 2009, requires the use of BMPs to manage stormwater and dry weather runoff. However, due to Marina del Rey's geology, utilizing BMPs that are designed for infiltration must be carefully sited, and used only when technically feasible and safe to do so. When infiltration of all excess volume is not technically feasible, on-site storage, reuse, or other water-conservation uses of the excess volume is required. Also, the County's SUSMP has no project type that is categorized as "Priority Development".

- 10) CCC Recommendation: LCP policies should be revised to assure that at the time of application, development proposals will be reviewed for conformance with the requirements contained in the Los Angeles County Municipal NPDES Stormwater permit and SUSMP requirements, any adopted TMDLs, applicable provisions of the Santa Monica Bay Restoration Plan, State Nonpoint Source Control Plan, Contaminated Sediment Task Force recommendations, and applicable standards and requirements contained in the Marina Del Rey LCP.

County Position: Support with modification.

Comment: The County supports the intent of this recommendation; however, the issues brought forth in this recommendation are already addressed in the County's comments to Recommendations 8 and 9.

- 11) CCC Recommendation: LCP policies should be revised to ensure that as part of the development review process:

A. All developments that require a Coastal Development Permit (CDP) are required to document site design and/or source control BMPs within drainage, landscaping or other site plans, and include sufficient detail for a determination that those are the appropriate BMPs for the project, are located in the appropriate areas of the project

and have adequate mechanisms in place to assure that the BMPs are effective for the life of the project.

Development or reconstruction of impervious surfaces, where a CDP is required, shall include source control or treatment control BMPs, such as permeable pavement, bioinfiltration or drainage to landscaping to eliminate or minimize to the extent feasible dry weather flow to storm drains or bay. Development or reconstruction of landscaping, where a CDP is required, shall use site design, source control and treatment control BMPs, such as "smart" irrigation systems and bioinfiltration to eliminate or minimize to the extent feasible dry weather flow to storm drains or bay. Plans that include infiltration BMPs should be reviewed by a geotechnical engineer if site stability issues are a concern.

- B. All developments that require a CDP and are categorized as "Priority Development" pursuant to the County SUSMP shall incorporate site design, source control, and treatment control BMPs, which are designed to eliminate dry weather runoff except those exempt under the Los Angeles County Municipal Stormwater permit and to treat runoff from the 85th percentile storm event. Such features and BMPs shall be documented in a Water Quality Management Plan (WQMP) or equivalent technical plan designed by a licensed water quality professional or civil engineer. The plan shall be sufficiently detailed for evaluation purposes, and shall include all necessary supporting calculations, descriptive text as well as graphics depicting amount, location of BMPs, as well as design and maintenance details associated with the BMPs or suite of BMPs.
- C. All BMPs implemented should be monitored to ensure that the performance achieved is at least the 75th percentile for BMP performance on the United States Environmental Protection Agency (EPA) and American Society of Civil Engineers (ASCE) National BMP database.

County Position: Support with modification.

Comment: Sub-item A has been implemented via the County's Low Impact Development Ordinance, Chapter 12.84, effective January 2009. The Ordinance includes various BMPs intended to distribute stormwater and urban runoff across development sites to help reduce adverse water quality impacts and help replenish groundwater supplies. Strategies include structural devices, engineered systems, vegetated natural designs, and education to replenish groundwater supplies, improve the quality of surface water runoff, stabilize natural stream characteristics, preserve natural site characteristics, and minimize downstream impacts.

The County supports the intent of sub-item B; however the County's SUSMP has no project type that is categorized as a "Priority Development".

Sub-item C may be problematic in that it imposes an extra burden on the County and property owners to ensure a certain degree of BMP performance. The effort required to demonstrate BMP efficiency would involve conduct of water quality sampling at both the inlet and outlet of a BMP. BMPs selected at the time of permit application should be reviewed for the adequacy of design and would be expected to have minimum pollutant removal efficiencies for their type, size and design. An alternative to this recommendation would be to establish a maintenance protocol for newly constructed BMPs with a self-certification program supported by spot inspections. The 75th percentile performance seems to be a random suggestion. To date, the State Water Resources Control Board has only studied the idea of numeric limits for discharges of storm water, particularly as

tied to BMP performance. Since there is nothing based in regulation to require a specific level of BMP performance, the County opposes this recommendation.

12) CCC Recommendation: The LCP should be revised to ensure that development projects will be designed in accordance with the following principles and guidelines. All projects should be designed to:

- A. Prohibit the discharge of pollutants that may result in receiving water impairment or exceedance of State water quality standards. Projects should be designed to reduce post-development peak runoff rates and average volumes over pre-development levels or to maintain such rates and volumes at similar levels to pre-development conditions, through such measures as infiltration, evapotranspiration, and storage/reuse.
- B. Maintain natural drainage courses and hydrologic patterns.
- C. Preserve and where possible, create or restore areas that provide important water quality benefits.
- D. Reduce the amount of directly connected impervious area, and total area of impervious surface from traditional approaches; consider and implement alternatives to impervious material for hardscaping plans, such as porous pavement, crushed gravel, and/or concrete grid designs.
- E. Minimize irrigation and the use of fertilizers and other landscaping chemicals. Water conservation measures, such as smart irrigation systems, shall be required, and water recycling and reuse should be encouraged.
- F. Where site constraints allow, incorporate on-site retention and infiltration measures to slow and reduce the amount of runoff discharged from the site.
- G. Properly design outdoor material storage areas (including the use of roof or awning covers) to minimize the opportunity for toxic compounds, oil and grease, heavy metals, nutrients, suspended solids and other pollutants from entering the stormwater conveyance system.
- H. Incorporate roof or awning covers over trash storage areas and implement other trash-control devices, such as full capture BMPs, to prevent off-site transport of trash and related pollutants from entering the storm water conveyance system. Where appropriate, include cigarette butt receptacles to reduce this common source of beach and ocean pollution.
- I. Design streets and circulation systems to reduce pollutants associated with vehicles and traffic resulting from development.
- J. Incorporate those BMPs that are the most effective at mitigating pollutants of concern associated with the development type or use.
- K. Include requirements consistent with other recommendations contained herein, to inspect, maintain and repair as necessary the BMPs associated with the project to ensure proper and effective functioning for the life of the development. All approved Coastal Development Permit applications which involve the use of BMPs shall include such requirements.

County Position: Support with modification.

Comment: The County supports the intent of this recommendation, as many of the items brought forth are already addressed in the County's Low Impact Development, Drought-tolerant Landscaping and Green Building Ordinances. However, any measures that incorporate infiltration of stormwater and dry weather runoff must be consistent with safety standards and should be reviewed by a geotechnical engineer if site stability issues are a concern.

- 13) CCC Recommendation: The LCP should be revised to incorporate updated guidelines for marina development/redevelopment projects, containing a list of BMPs, management measures and standards appropriate for marina development, to aid the County in its review and permitting of marina development projects. In doing so, the County should utilize resources containing the most updated information and recommendations concerning environmentally sound marina development and operation practices, including but not limited to, the California Clean Marina Toolkit (California Coastal Commission, 2004), a publication of the California Coastal Commission's Boating Clean and Green Campaign.

County Position: Support.

Comment: No comment.

- 14) CCC Recommendation: The LCP should be revised to require that in the development or redevelopment of individual marinas or launch facilities, Best Management Practices (BMPs) for marinas and recreational boating activities shall be implemented to reduce, to the maximum extent practical, the release of pollutants to surface waters. Any coastal development application for reconstruction, modification or redevelopment of marina or launch facilities shall include a Marina Water Quality Management Plan (MWQMP) that includes BMPs to control water quality impacts at each marina or launch. The MWQMP shall include the following components, as applicable, and shall be reviewed for conformance with the set of guidelines for marina related development/use to be developed by the County pursuant to Recommendation No. 13, and the following criteria, as applicable:

- A. Measures to control stormwater and dry-weather runoff from development during the construction phase and in the post-development condition, consistent with all applicable provisions outlined in Recommendations 5 through 14 of this report [Marine Resources/Water Quality section], and consistent with State and Regional Water Quality Control Board NPDES requirements.
- B. A MWQMP component that includes provisions to adequately control impacts from boating sewage, vessel cleaning and maintenance, oil and fuel discharges, fish cleaning and trash generation/disposal. Vessel sewage disposal shall be controlled by: 1) installing a fixed point dockside pumpout facility; or 2) installing slip side pumpouts; or 3) for smaller marina operators, evidence of a cooperative agreement with an adjacent marina to provide joint waste management facilities or services. The MWQMP shall also provide that adequate restrooms and portable toilet dump stations for marinas with slips for smaller boats are installed. In addition, adequate trash, recycling and cigarette butt receptacles shall be placed in convenient locations around the Marina, and should be covered and frequently serviced. The operations and maintenance component shall provide measures for marina operators to regularly inspect and maintain facilities.
- C. A component for implementing boater education measures, including signage.
- D. A component for protection against the spillage of crude oil, gas, petroleum products or hazardous substances in relation to any development or transportation of such materials.
- E. A monitoring and assessment component to evaluate the effectiveness of the MWQMP.
- F. Material used for construction of piers, pilings, docks, dolphins, or slips shall not include timber preserved with creosote, (or similar petroleum-derived products.) Pilings treated with Ammoniacal Copper Arsenate (ACA), Ammoniacal Zinc Arsenate (ACZA) or Chromated Copper Arsenate (CCA) shall be used only if wrapped or coated

prior to installation with a water tight plastic sleeve, or similar sealant. To prevent the introduction of toxins and debris into the marine environment, the use of plastic wrapped pilings (e.g. PVC Pile wrap) and reinforced plastic for pilings (e.g. high density polyethylene (HDPE) pile armor), shall conform to the following requirements:

- i. The material used shall be durable and a minimum of one-tenth of an inch thick.
- ii. All joints shall be sealed to prevent leakage.
- iii. Measures shall be taken to prevent ACA, CCA and/or ACZA from dripping over the top of plastic wrapping into State Waters. These measures may include wrapping pilings to the top or installing collars to prevent dripping.
- iv. The plastic sleeves shall extend a minimum of 18 inches below the mudline.
- v. Plastics used to protect concrete or timber piers and docks or for flotation shall be subject to regular inspection to prevent sloughing of plastics into the waterway. A comprehensive inspection and maintenance plan shall be a requirement of any approval for projects involving plastic/or similar material wrapped piles.
- vi. The lessee shall be made responsible for removal of failed docks or materials.
- vii. If federal or state regulatory agencies, through new or better scientific information, determine that environmentally less damaging materials or methods are available for new piles or piling replacement, the least environmentally damaging materials and/or methods should be required for such projects, where feasible.

County Position: Support with modification.

Comment: The County does not agree with requiring a monitoring and assessment component to evaluate the effectiveness of a MWQMP. In addition, in-water development is the responsibility of the Coastal Commission to regulate and monitor.

New Development / Circulation

- 15) CCC Recommendation: (A) Although redevelopment of the 1994 DKS transportation model is not recommended as part of this review, any changes to the cap system (that is based on the DKS study), if proposed, should be based on a revised model or equivalent comprehensive traffic analysis. (B) Amend LIP section 22.46.1180.A.11.b to reflect the County's current traffic study guidelines and its requirement that studies be based on and consistent with the most recent studies of major projects in the area, including models prepared for the Airport LAX expansion and Playa Vista Phase II traffic models.

County Position: Support with modification.

Comment: The County is not proposing to exceed the total p.m. peak hour trip cap on traffic; therefore, the only issue is reallocation of that trip cap throughout the Marina. This is best accomplished through a detailed traffic study, rather than a model, regardless of whether adjustments are proposed in the "cap system", so long as the total cap is not exceeded. The County retained a traffic consultant to conduct a comprehensive traffic study of all developments and roadway improvements that require plan amendments. The traffic study utilized information from recent pertinent traffic models, including those prepared for the Airport LAX expansion and Playa Vista Phase II, as well as models prepared by cities and local agencies. The study included the impact of all surrounding development projects and infrastructure projects that affect the transportation system.

- 16) CCC Recommendation: The County should consider options for funding a bus/shuttle system. Such funding could be used to support a regional bus/shuttle system operated by

a regional or local government transit agency that serves Marina del Rey. The County should amend sections 22.46.1100.C. 2 and 22.46.1190.A.3 and A.5 to require an ongoing assessment to support shuttle buses as part of all retail, residential and hotel development, as a Category 1 improvement. If funding is required as part of a lease extension, the amount contributed should be acknowledged in the issuance of the coastal development permit. Consider additional assessments for all projects.

County Position: Oppose.

Comment: The County supports funding alternative transportation programs to the greatest extent possible, and a shuttle currently operates on summer weekends. The County supports the expansion of the shuttle system in Marina del Rey, with the goal to ultimately provide year-round service, provided there is sufficient demand for the service and the funding is available.

However, the County and the Metropolitan Transit Authority (MTA) agree that, at this time, the Marina del Rey shuttle service primarily serves recreational, shopping and other non-commuter trips, and that shuttle service will not reduce commuter peak-hour demands, which is required for a Federal grant called the Jobs Access and Reverse Commute, administered by MTA. Nor has the County determined that a shuttle system will effectively mitigate the traffic impacts caused by new development along internal roadways within Marina del Rey. The County expects a shuttle system will be more effective if implemented in conjunction with a light rail transit system.

The LCP's Category 1 improvements are funded by one-time developer fees. Since the primary expenses of a shuttle system are operating and maintenance costs, Category 1 fees could not fund an ongoing shuttle system. Category 1 fees are \$1,592 per peak-hour trip, yielding a total of \$4,378,000 for the buildout of the LCP. Based on a conservative estimate of \$500,000 per year to operate a shuttle system, the Category 1 fees could not fund a shuttle system for an extended period of time. Therefore, funding a shuttle using these developer fees is not sustainable for its ongoing operation costs.

Rather than focusing on a shuttle/bus system for commuter purposes, there should be greater support of the WaterBus and other visitor-serving transportation options. Commuter shuttle services are not within the scope of the County to support without the existence of a regional transportation solution.

- 17) CCC Recommendation: The County should amend LCP Ordinances Sections 22.46.110.B, 22.46.1060, and 22.46.1190A.3, 5, 9 and 15 to require improvements or proportional contributions that would enhance non-automotive transportation from all development: pedestrian and alternative traffic modes; widened sidewalks; jitney stops; stops for water taxi; and dinghy tie-ups as part of site plan review.

County Position: Support with modification.

Comment: The County encourages a range of options for improving non-automotive transportation inside and near the Marina where feasible, and is working on several transit projects to enhance non-automotive transportation. The options include improving pedestrian access by widening sidewalks where possible, improving the South Bay Bike Trail through the Marina, extending the Playa Vista shuttle to establish shuttle service in the Marina to the extent justified, maintaining bus service into the Marina, providing water taxi service and stops, and adding pedestrian crossings where feasible (for instance, crossings of Admiralty Way at Mindanao Way and at the library were added). The County is also actively participating on the Lincoln Corridor Task Force to plan a dedicated traffic

lane along Lincoln Boulevard for bicycles and buses for the short term and light-rail transit for the long term. Development projects are currently required to increase public access by way of bicycle path and pedestrian promenade to the maximum extent possible considering the size of the parcel. DBH is also preparing dock plans for the Chace Park peninsula that include dinghy tie-ups. Additionally, developments are being required to include dinghy tie-ups, as appropriate. However, the Category 1 fee assessment does not currently include these types of improvements. The County will revise the County Code to require that these features be included as part of a site plan.

- 18) CCC Recommendation: The County should amend LCP Ordinance Sections 22.46.1050, 22.46.1100.B.2 and Appendix G to include the improvement of pedestrian access across and along thoroughfares as part of roadway design.

County Position: Support.

Comment: The County Department of Public Works (DPW) has instituted new requirements that all new development, where feasible, widen sidewalks along their frontage to provide eight-foot sidewalks on the public roads and five-foot sidewalks on the mole roads.

The County will amend Appendix G to reflect the status of various Category 1 improvements, which have been proposed by DPW to mitigate the internal traffic impacts of development within Marina Del Rey. Development-specific traffic studies have determined various lane configurations, which are intended to provide improved traffic signal operations and overall circulation while still achieving the same level of service expected from the original Category 1 improvements. In addition, the County has identified various Category 1 improvements which are either infeasible due to right-of-way constraints or have already been implemented and should be removed from the list.

- 18A) CCC Recommendation: In preparation for amending its LCP the County should undertake a comprehensive LCP update of anticipated future development that includes all pending project driven amendments, fulfillment of Asset Management strategies and other facilities identified through a community planning process.

County Position: Support.

Comment: The County will batch current LCP Amendments (LCPA) into a single amendment supported by a cumulative impact assessment of all LCPAs as well as all reasonably foreseeable projects.

- 19) CCC Recommendation: Revise the LCP to require that the County consider all pending project-driven amendments of the LCP that would change the designation of parcels from a public park or parking use to a private use at the same time. A project shall be considered pending if there is an approved term sheet allowing the applicant to apply for approval of the project. In considering such amendments, the County should analyze the total pattern of public serving and park uses in the Marina.

County Position: Support.

Comment: A Draft Right-Sizing Parking Study based on the pending project-driven LCP amendments has been prepared to determine demand for public parking within Marina del Rey boundaries, resulting in the right-sizing of public parking spaces for specific activity areas. All parking calculations in the LCP will be reconciled to the Right-Sizing Parking Study in the batched map and text amendment.

20) CCC Recommendation: The County should amend its LCP to include development standards that would incorporate the design elements in the Asset Management Strategy (similar to many of the LCP policies concerning public access and site design). For example:

- Maintain the visibility of public spaces;
- Integrate the building with open space and access areas; and, identify the County agency best qualified to undertake this review

County Position: Support with modification.

Comment: The County supports including policy statements in the LCP that guide development design with respect to maintaining the visibility of public spaces and integrating the building with open space and access areas. The County does not support placing specific development design standards into the LCP.

21) CCC Recommendation: The County should revise the LCP in order to include incentives to provide priority to free or lower cost public uses on waterfront parcels designated for residential use but developed with mixed uses, including visitor serving commercial and public facility uses.

County Position: Support with modification.

Comment: This is not an issue in the Marina. Only two residentially-designated waterfront parcels contain mixed uses (Parcels 15 and 18), and both are visitor-serving. The County agrees with providing incentives for free or lower-cost public uses on waterfront parcels that contain residential uses and that can accommodate mixed-use development. In fact, there are existing requirements to provide view corridors and promenade access when leases for residential developments are renewed. In addition, Beaches & Harbors uses its best efforts during the lease negotiation process to involve lessees in other public improvements, such as Marina Beach enhancements. The County does not intend, however, to adopt a policy of eliminating residential uses in favor of free or lower-cost public uses.

22) CCC Recommendation: The County should amend the LCP to strengthen development standards to preserve existing public and lower cost recreation facilities including free facilities; assure that these facilities and public rights to them are maintained.

County Position: Support with modification.

Comment: This recommendation cannot be supported in its current form because it is too vague. To the extent the Recommendation is aimed at preserving and/or enhancing park space, the County has identified areas it wishes to expand or add for open public use, such as Chace Park and Oxford Basin.

23) CCC Recommendation: The County should amend LCP Definitions to define “hotel” and should evaluate opportunities to protect the availability of, and encourage additional, short-term overnight accommodations in the Marina. To protect and maximize public access, LUP and LIP definitions and development standards should exclude private fractional ownership of hotel/motel rooms on publicly owned land designated for visitor or public uses. And for areas not designated for visitor use, in any hotel, motel or similar project that includes timeshare or fractional or condominium ownership components, the County shall address, among other factors, peak use demands in the summer, availability of units to the general public and operational provisions to require hotel/motel management of a facility. LCP Standards should ensure that such projects maximize public access in operation of

the hotel/motel, including restrictions on the percentage of units privately [individually] owned and length of stay.

County Position: Support with modification.

Comment: The County does not believe the inclusion of fractional or timeshare ownership concepts are inconsistent with the Coastal Act or current LCP so long as operational parameters ensure the facility treats hotel and timeshare/fractional visitors in the same manner.

- 24) CCC Recommendation: In-Lieu Fees for Lower Cost Overnight Visitor Accommodations. The County should update the existing in-lieu mitigation fee LCP policy for new development of overnight visitor accommodations in the coastal zone that are not lower cost. The in-lieu fee would be required as a condition of approval of a coastal development permit in order to provide significant funding to support the establishment of lower cost overnight visitor accommodations within the coastal area of Los Angeles County. The fee would be based on the per bed “mid-range” land acquisition and construction costs to build a lower cost overnight visitor accommodation in the coastal zone of Los Angeles County for 25% of the total number of proposed overnight visitor accommodations in the new development. The fee (i.e. \$30,000 in 2007) shall be adjusted annually to account for inflation according to increases in the Consumer Price Index – U.S. City Average.

The required in-lieu fees should be deposited into an interest-bearing account, to be established and managed by one of the following entities approved by the Executive Director of the Coastal Commission: Los Angeles County, Hostelling International, California Coastal Conservancy, California Department of Parks and Recreation or a similar entity. The purpose of the account should be to establish lower cost overnight visitor accommodations, such as new hostel beds, tent campsites, cabins or campground units, at appropriate locations within the coastal area Los Angeles County. The entire fee and accrued interest would be used for the above-stated purpose, in consultation with the Executive Director, within ten years of the fee being deposited into the account. Any portion of the fee that remains after ten years shall be donated to one or more of the State Park units or non-profit entities providing lower cost visitor amenities in a Southern California coastal zone jurisdiction or other organization acceptable to the Executive Director. Required mitigation shall be in the form of in-lieu fees as specified herein or may include completion of a specific project that is roughly equivalent in cost to the amount of the in-lieu fee and makes a substantial contribution to the availability of lower cost overnight visitor accommodations in Los Angeles County.

County Position: Support with modification.

Comment: The County supports the intent of this recommendation, and aims to provide lower cost overnight visitor accommodations, including campsites and hostel accommodations near Marina del Rey; however, the proposed in-lieu fee scheme is too onerous. While adjusting the in-lieu fee annually to account for inflation is reasonable, the amount proposed in the Recommendation is not. In addition, the County could not agree to release to the State or non-profit entities the in-lieu fees collected as mitigation for Marina projects.

- 25) CCC Recommendation: The County should amend Section 22.46.1180 12(a), which specifies the contents of the revised final plans which are submitted to the Design Control Board to include all elements subject to the Design Control Board’s review and all design elements listed in the Asset Management Strategy:

... The design control board, as a condition of its approval, may require the applicant to return with final plans for approval of signage, landscaping, color site plans, onsite open space and project features that facilitate public uses, including parking and nonautomotive transportation including tram stops and other details.

If the County amends the LCP to assign site plan review to the regional planning commission, the amended language should provide authority to the regional planning commission to evaluate site plan designs for consistency with the LCP, including how well “onsite open space and project features that facilitate public uses” will provide public access.

County Position: Support with modification.

Comment: The County supports the intent of this recommendation; however, the County believes the newly approved amendment covering the role of the Design Control Board, effective in 2009, addresses Coastal Commission’s concerns and should not be further modified.

- 26) CCC Recommendation: The County should promote “green building” design and construction practices that reduce the negative environmental impacts of buildings and improves occupant health and well-being consistent with State or Nationally recognized programs, such as the Leadership in Energy and Environmental Design (LEED) system.

County Position: Support.

Comment: All new development is required to meet the Countywide Green Building Ordinance, effective January 2009, which includes both State and nationally recognized programs, including LEED.

Recreation and Visitor Facilities

- 27) CCC Recommendation: The County should revise the LCP to design locate public parking in areas that provide easy access to the recreation and visitor-serving facilities located throughout the Marina (see also suggested Recommendations 39 and 40). The County should revise the LCP to prohibit relocation of public parking lots to the periphery of the marina unless 1) equivalent public parking is also reserved in priority locations as part of development projects and 2) an effective internal transportation system, such as a shuttle bus system or other equivalent transportation system has been fully funded for long-term operation (25+ years) and available for use.

County Position: Support with modification.

Comment: The County agrees that having a shuttle program in concert with well-situated parking structures is desirable. The County has instituted two new transportation programs – the Beach Shuttle (land) and the WaterBus (water). The Beach Shuttle, which functions half-hourly from Memorial Day to Labor Day and serves Playa Vista, Marina del Rey and Venice Beach, will expand as needed and to the extent funding is available. The County opposes this recommendation only to the extent of the shuttle system for residents, which has been demonstrated to lack demand. With our response, the County is including information on the various other forms of public transit mentioned above. Parking demand and locations, however, will be determined by the Right-Sizing Parking Study.

- 28) CCC Recommendation: Because the LCP ordinance Section 22.46.170 requires the replacement of any public parking, public park or boating facility before it is relocated, consider a 2:1 replacement ratio for displaced parks or lower cost facilities, unless the park or lower cost facility is to be replaced on the waterfront.

County Position: Oppose.

Comment: Due to the Right-Sizing Parking Study, the County now has a long-term understanding of the projected parking needs in Marina del Rey up to the year 2030. The Right-Sizing Parking Study determined the ultimate parking needs and locations in Marina del Rey. As the Study shows, a 2:1 replacement is not rationally related to actual need. There is no proposal to move public parking away from the waterfront if it is currently located there.

The County recommends a 1:1 replacement for displaced parks, meaning that the same acreage of park should replace any relocated park. The County does not believe the loss of low- or no-cost visitor facilities is a critical issue in the Marina, but recognizes that any potential loss calls for careful consideration.

- 29) CCC Recommendation: The County should encourage individual leaseholds that are not being redeveloped to upgrade and improve, on or off-site, public access along the waterfront consistent with LCP requirements for new development in order to provide a uniform and contiguous pathway throughout the marina.

County Position: Support.

Comment: The County agrees to this recommendation to the extent that "encourage" means good-faith efforts as opposed to regulation. The County cannot interfere with current leasehold rights and can only solicit the cooperation of lessees without any real leverage. Further, this provision currently exists in the LCP.

- 30) CCC Recommendation: The County should update the LCP to include a uniform signage plan for the marina that is developed to link all recreational facilities (i.e., trails, bikepaths, parks, and viewing areas) throughout the marina. Such signage should be located along the main thoroughfares and at, or along, the recreational sites.

County Position: Support with modification.

Comment: The County intends to expand its uniform signage plan for the marina to include links to all recreational facilities (i.e. trails, bike paths, parks and viewing areas) throughout the marina following approval of Phase II developments. Such signage should be located along the main thoroughfares and at, or along, the recreational sites. However, all signage along the public roads maintained by the Department of Public Works is subject to Public Works guidelines.

- 31) CCC Recommendation: Policy A.2.e.5, that addresses mitigation for non-coastal priority or non-marine related uses through the contribution to a Coastal Improvement Fund, should be modified as follows:

i. 2.e.5. Any new proposal for construction of facilities in the existing Marina that is a non-coastal priority or non-marine related use shall require offsetting mitigation. Mitigation shall be accomplished by contribution to a Coastal Improvement Fund. This Fund is primarily intended to finance construction of local park facilities. Uses exempt from this policy requirement include hotels, visitor-serving commercial, ~~office~~ and marine commercial uses.

County Position: Support.

Comment: The County agrees that office uses should not be exempt from this contribution requirement.

- 32) CCC Recommendation: The Coastal Improvement Fund implementing ordinance, Section 22.46.1950 and 22.46.1970, should be similarly modified to ensure that all non-visitor-serving uses and non-marine related uses are required to contribute to the Coastal Improvement Fund, and the fee should be adjusted annually based on the consumer price index to reflect increased construction costs for local park facilities.

County Position: Support.

Comment: The County agrees that non-visitor serving uses and non-marine related uses should contribute to the Coastal Improvement Fund.

- 33) CCC Recommendation: Although the LCP requires parking areas be attractively designed with a buffer of landscaping, berms or other screening materials, buffering should be designed and maintained as to not impact the public's view of the water from public streets, trails, or bike paths (Policy A.2.e.7).

County Position: Support.

Comment: The County agrees with this recommendation and the LCP currently requires parking areas be attractively designed with a buffer of landscaping, berms or other screening materials, and should be designed to the extent possible and maintained as to not impact the public's view of the water from public streets, trails, or bike paths. However, it should be noted that providing attractive landscaping to buffer the view of parking lots, while concurrently providing view corridors or views over public parking lots, are sometimes mutually-exclusive endeavors.

- 34) CCC Recommendation: Through the development review process and through improvements to existing facilities, the bikepath should be developed and located along the waterfront wherever feasible and when it can be designed to minimize conflicts with safe pedestrian access.

County Position: Support.

Comment: Although the County supports this recommendation, the challenge to narrow parcels in accommodating both the promenade, which also must be along the waterfront, and the bike trail must be recognized. At times, there is insufficient depth to accomplish this and still produce a visitor-serving project. There are plans to widen and install bicycle lanes along Fiji Way by early 2011. The County works to ensure the maximum safety for pedestrians and cyclists in Marina del Rey.

- 35) CCC Recommendation: The LCP should be revised to maximize public views of the coastal waters in the development of recreational facilities.

County Position: Support with modification.

Comment: This County supports the intent of this recommendation; however, it is a bit unclear. Recreational facilities in Marina del Rey are primarily parks and beaches. With the exception of Yvonne B. Burke Park and Oxford Basin, these facilities are all on the water. The public's views are made available from trails, but support buildings (such as restrooms and maintenance buildings) and landscaping can obstruct views for a short

time. It is not known what is intended by this recommendation beyond what is already accomplished in the Marina. This wording can be added to the LCP if it is revised to make clear that service facilities, landscaping, and safety considerations that require public accessways to be away from the water are excluded from this requirement, and that the place from which the views are going to be preserved is clearly stated (e.g., from the promenade looking toward the water).

Public Access

- 36) CCC Recommendation: In order to assure maximum access the LCP requirements for provision of public access should be implemented even in minor projects that impact public access. The LUP and Section 22.46.1110 should be modified to ensure adequate consideration of access in all development projects, such as adding to 22.46.1110(B):

B. In Marina del Rey, all land is owned by the County of Los Angeles and all leaseholders hold leases subject to an obligation to provide for active public use, and maximum public enjoyment of the public recreational land. Private rights have been granted by contracts, which in some cases limit public use of the parcels. Existing public accessways are identified in Existing Shoreline Access Map (Map 2) of this Specific Plan (see Map 2 at the end of Part 3 of this chapter), and it is the policy of the County that all development preserve existing access to the Marina, to its bulkhead walkways and to its waters. Where development will increase the numbers of residents or guests (including users of any commercial development) on the parcel, this Specific Plan identifies additional bulkhead access and identifies that a public access corridor or other public accommodations in that location would benefit the public, said additional access, including vertical access, shall be guaranteed by the leaseholder of that parcel pursuant to subsection A of this section. Where development does not increase the numbers of residents or guests on the parcel but extends the life of existing development that has unmitigated public access impacts, public access enhancements shall be required.

County Position: Support with modification.

Comment: In order to assure maximum access, the LCP requirements for provisions of public access should be implemented where feasible only in projects pursuant to lease extensions, whether or not the numbers of residents or guests on the parcel increase.

- 37) CCC Recommendation: In order to assure maximum access, the LCP requirements for provisions of public access should assure that where public access and public safety conflicts are raised by proposed new development, alternative siting and design of the development shall be considered in order to provide shoreline access without creating a safety conflict. And, where a proposed project would restrict shoreline access, and where no feasible alternatives exist to provide shoreline access in conjunction with the project, if the project is to be approved, alternative access enhancements are required, such as provision of signage, benches, or viewpoints. (Section 22.46.1160 Access Restrictions and 22.46.1120 Findings).

22.46.1160 Access Restrictions. *A. Public access may be restricted in certain locations around the Marina, such as in front of the sheriffs station and near launch hoists, in the interest of pedestrian safety, provided there are no feasible alternatives for siting, designing or managing development to provide safe pedestrian shoreline access. Necessary restrictions and management may consist of, but are not limited to, the following:*

-- Construction of fences, guard rails or other barriers to prevent the public from

entering areas where hazardous activity is occurring;

-- Limiting public access to certain hours of the day or days of the week when hazardous activities are not in operation;

-- Posting of warning signs which notify the public of potential safety hazards;

-- Relocation of the public access to ensure pedestrian safety.

B. Any restrictions deemed necessary by the authority supervising a site determined to be hazardous shall be reviewed for incorporation into the conditions of a coastal development permit for new development in these areas. In addition, in cases where public access is restricted by or in connection with development, the developer shall provide alternative public enhancements elsewhere in the development zone such as provision of alternative access, interpretive enhancements, benches, or viewpoints as mitigation for the access impacts of the development.

C. Where access standards of a different width or location are necessary to avoid demolition of existing structures, to set access ways back from existing development, or to avoid hoists and staging areas, the applicant may provide access ways of a different width or location that are sensitive to the development if such access provides continuous connection to other bulkhead access ways, as well as maximum public benefit. In no event shall access provided be less than ten feet in width. (Ord. 95-0058 § 1. 1995: Ord. 95-0042 § 1 (part), 1995: Ord. 90-0158 § 1 (part), 1990.)

22.46.1120 Access -- Findings.

In order to make the appropriate findings to impose vertical or lateral access requirements, the County shall:

A. Base all findings on factual evidence obtained at the public hearing, submitted by the applicant or interested parties, or discovered during the staff's investigation;

B. Evaluate the individual and cumulative impacts of the proposed development on public access and recreation opportunities;

C. Identify the access-related problems associated with the development;

D. Cite the specific Coastal Act provisions that are impacted by the development;

E. Evaluate feasibility of alternatives and [e]xplain and how the proposed conditions would solve the access problem created by the development and are related in the nature and extent to the impacts of the development on the public's right to access the Marina.

County Position: Support.

Comment: The County agrees with the objective of this recommendation. The County can adjust the LCP to exclude boatyards, launch facilities and yacht clubs with launch facilities from the shoreline promenade requirement so long as a lateral trail and parkette are established at the site. In order to be clear, the County shall identify those areas on a map that will be excluded from the promenade requirement and show generally where the access will be.

- 38) CCC Recommendation: The LCP should be updated to incorporate new policies and standards in the Access Component designed to identify and implement the California Coastal Trail (CCT). The LCP should include revisions consistent with the following:
- a. Identify and define the CCT as a continuous trail system traversing the length of the state's coastline and designed and sited to include a continuous lateral trail and connecting with contiguous trail links in adjacent jurisdictions.
 - b. Provide that the trail be designed and implemented to achieve the following objectives:
 - Provide a continuous walking and hiking trail as close to the ocean as possible;
 - Provide maximum access for a variety of non-motorized uses
 - Maximize connections to existing and proposed local trail systems;

- Maximize ocean views and scenic coastal vistas; and,
 - Provide an educational experience where feasible through interpretive facilities.
- c. Provide that the trail be sited and designed to be located along the shoreline where physically and aesthetically feasible.
- d. Provide that the trail be designed and located to: 1) avoid any significant disruption of habitat values in, or significantly degrade, environmentally sensitive habitat areas to the maximum extent feasible, and, 2) incorporate existing waterfront paths and support facilities of shoreline parks and beaches to the maximum extent feasible.
- e. The LCP Access Component should be amended to incorporate any plans and designs for locating and implementing the CCT within the Marina, including mapped alignment with linkages and parking staging areas.
- f. The LUP Policy 13 on Directional Signs should be revised to integrate future signage in Spanish and in English related to the California Coastal Trail, when available, with Marina visitor signage programs:

13. Public awareness of shoreline access ways and public areas including the California Coastal Trail, shall be promoted by the provision of appropriate signs, outdoor exhibits and brochures. All development in the existing Marina shall be required to incorporate the following informational features to improve the public's awareness of access opportunities and the coastal environment:

- a) Outdoor maps indicating the location and type of public access ways and parks including the California Coastal Trail;*
- b) Identifying and directional signs;*
- c) As appropriate, facilities for brochures and other informational aids: and*
- d) Outdoor exhibits describing historical, biological and recreational aspects of the Marina, coast, wetlands and other aspects of the coastal environment, which should be coordinated and integrated with similar such exhibits which may be established in other areas of the Playa Vista project. (LUP 1996 p.1-8)*

County Position: Support with modification.

Comment: The County supports the Coastal Trail to the extent its current alignment is already accommodated by the existing bike trail and promenade, each of which will be improved to the extent feasible as redevelopment of the Marina occurs. The language of the directional signs should be consistent with other directional signage, as addressed in comments to Recommendation 30.

39) CCC Recommendation: The County should incorporate into the LCP Access Component a Comprehensive Parking Management Plan that:

- Evaluates the overall parking resources needed to support not only planned development uses but also the planned public access promenade, open space parks, viewpoints, public boating and recreation areas. Such a comprehensive plan should provide for siting and designing new parking to support future public facilities and maximize access to those facilities.
- Monitors buildout of redevelopment projects for adequacy of parking and if necessary updates existing parking standards and parking replacement requirements.
- Ensures public parking adjacent to waterfront lots for beach and boating use is protected and maximized where feasible;
- Considers shared management of parking to provide additional parking for the public;

- Expands opportunities for peripheral parking with possible shuttle system for visitors to commercial and recreational areas; and,
- Ensures that new development is phased so that adequate parking and/or shuttle system from peripheral parking is in place before new development is approved.

County Position: Support.

Comment: The Right-Sizing Parking Study has been prepared and is completely responsive to this recommendation. The results of the Study will be placed in the batched map and text amendment.

- 40) CCC Recommendation: Revise filing requirements to require that new development include a parking plan showing 1) all existing parking onsite for all designated uses; 2) all parking spaces for proposed development; 3) parking alternatives for proposed development that maximizes potential demand for boater and promenade/park use parking on site; and 4) its share of the public parking needed for Marina-wide general recreation facilities (such as the Promenade and public parks). The parking plan should ensure that development does not reserve all parking on the site for only marina residents, customers, or guests.

County Position: Support with modification.

Comment: The County can accommodate this recommendation to the extent it conforms to existing filing requirements pursuant to both the LCP and the County Planning and Zoning Code. The County cannot support the recommendation to the extent it accommodates public use parking at residential leaseholds, which the County believes is neither necessary nor effective. Public parking is either already available or being pursued at convenient and meaningful access points to the promenade and recreation facilities.

The filing requirements should be revised to require that new development include a parking plan showing: 1) All existing parking on-site for all designated uses; 2) All parking spaces for proposed development; and, 3) Parking alternatives for proposed redevelopment that maximizes potential demand for boater parking on-site.

- 41) CCC Recommendation: Any applicable revisions to the Specifications and Minimum Standards of Architectural Treatment and Construction (1989) that have been adopted since update of the LCP or are adopted in the future should be submitted for review as a proposed amendment to the LCP Appendix C.

County Position: Oppose.

Comment: Standards regulating the visual features, or “look”, of structures do not belong in an LCP.

- 42) CCC Recommendation: Sections 22.46.1060 Community Design Guidelines and 22.46.1180(A)(1) Filing Requirements should be modified to provide that development applications shall include project plans that show all proposed public access improvements, including lateral and vertical access and turnout areas for future shuttle and/or transit stops where appropriate.

County Position: Support.

Comment: This is already done in all plans but can be made a part of the filing requirements.

Biological Resources and Environmentally Sensitive Habitat Areas

The Coastal Commission recommends:

“Revise the LCP to include a new Section 5-1 to incorporate policies and implementing standards to ensure assessment, identification and designation of sensitive resources and ESHA as part of project review. The policies and standards should address the following...” (Page 36, Periodic Review)

County Position on Environmentally Sensitive Habitat Areas: The County does not support the reintroduction of ESHA policies into the Marina del Rey Local Coastal Program (LCP) for all of the following reasons:

- All of the resources in the LCP area were known at the time the California Coastal Commission (CCC) eliminated the ESHA section from the LCP in 1996 as documented in the Commission’s own findings in 1996. The fact that the herons have moved around is in the nature of their behavior. But, herons were present at the time the Commission made its determinations in 1996. In terms of wetlands, given the very high historic profile of the Ballona wetlands, including at the time of LCP certification, it is difficult to believe this was not taken into consideration. Nonetheless, policies for wetlands and attention to the Oxford Basin are in the LCP and the 1996 findings.
- The County knows of no reason to designate any of the resources in Marina del Rey as ESHA and appreciates the notation by staff that even occupied trees in a marina have not been so considered. In this regard, the County believes a common misconception of resources in an ESHA determination context stems from the impression that nothing can be done to protect or mitigate for the resource unless it is designated ESHA. The County believes that the Conservation and Management Plan being prepared for inclusion in the LCP is sufficient protection of these resources under the Coastal Act.
- The County has no objection to recognizing that sensitive resources need to be devoted attention in the County’s CEQA process, for which the County believes it routinely applies aggressive CEQA-level mitigation. This approach could generate a considerable amount of funding and mitigation for both the Marina and adjacent resources.
- The Oxford Flood Control Basin (Parcel P) is adequately addressed in the LCP. Moreover, the County has agreed to adopt wetland characterizations not only for Parcel P, but also for a portion of Parcel 9. With respect to the small portion of Parcel 9 containing a wetland, the County has already conducted an extensive study of this area. Even though not required by the LCP, the County caused the proposed development project on the parcel to be redesigned to avoid the wetland. The County has also worked for many years with the CCC and other regulatory agencies on protecting this resource.
- The County continues to work with surrounding agencies toward mutual goals on resource protection. The County does not believe an additional overlay of policy is necessary in the Marina to address the salutary objectives of environmental protection under CEQA or the Coastal Act.

For all of these reasons, the County strongly disagrees that the LCP lacks adequate safeguards, particularly when combined with the County’s CEQA and consultation process.

- 43) **CCC Recommendation:** As the LUP already contains a definition of ESHA, add a definition of Wetland consistent with Section 30121 of the Coastal Act and Section 13577(b) of Title 14 of the California Code of Regulations. Any areas that meet the definition of Wetland shall be protected consistent with the policies of the LCP and Coastal Act.

County Position: Support with modification.

Comment: The County concurs with this recommendation to the extent that it applies only to the non-flood control portion of Parcel P and a portion of Parcel 9, the only undeveloped property in the Marina and where a wetland has been identified on a small part.

44) DELETED.

45) CCC Recommendation: Assess the resources on a site and determine the presence of any Environmentally Sensitive Habitat Areas based on the best available information, including current field observation, biological reports, and additional resources from the Department of Fish and Game and the U.S. Fish and Wildlife Service. At a minimum areas identified in Exhibit 13 should be assessed. Modify the LUP Filing requirements (Section 5-1 and LIP section 2246.1180) to require, as part of application requirements, that on sites that potentially contain sensitive habitat, for example, trees that support nesting and roosting herons and egrets, protected bird species or wetlands or upland resource areas, new development:

- a. shall include an inventory conducted by a qualified biologist of the plant and animal species present on the project site. If the initial inventory indicates the presence or potential for sensitive species or habitat on the project site, or potential impact on biological diversity or productivity of adjacent Environmentally Sensitive Habitat Areas, a detailed biological study shall be required through the development review process. Such assessment should include site-specific biological assessments of whether a habitat area provides an ecologically valuable habitat for sensitive species, including bird species that nest, forage and roost in the marina area and the adjacent Ballona wetlands and the proposed development's impact on the biological productivity of any biological resource within and adjacent to the site. The biological study should also include mitigation measures for any negative impacts to the habitat.
- b. Where the required initial site inventory indicates the presence or potential for wetland species or indicators, the County shall, in addition to the submittal of a detailed biological study of the site, require delineation of all wetland areas on the project site. Wetland delineations shall be based on the definitions contained in Section 13577(b) of Title 14 of the California Code of Regulations. A preponderance of hydric soils, a preponderance of hydrophytic vegetation, or evidence of wetland hydrology will be considered presumptive evidence of wetland conditions. The delineation report will include at a minimum a (1) a map at a scale of 1":200' or larger with polygons delineating all wetland areas, polygons delineating all areas of vegetation with a preponderance of wetland indicator species, and the location of sampling points, and (2) a description of the surface indicators used for delineating the wetland polygons. Paired sample points will be placed inside and outside of vegetation polygons and wetland polygons identified by the consultant doing the delineation.

County Position: Oppose unless modified.

Comment: The County supports the sub-item a. recommendation to require a biological inventory as part of application requirements and to require mitigation measures for impacts to sensitive biological resources. The County does not support sub-item b., as the County does not recognize that there are wetland areas in Marina del Rey other than those that have been identified on the non-flood control portion of Parcel P and a portion of Parcel 9.

- 46) CCC Recommendation: Accessways located within or adjacent to ESHAs shall be sited to minimize impacts to ESHAs to the maximum extent feasible. Measures, including but not limited to, signage and fencing should be implemented as necessary to protect ESHAs.

County Position: Support with modification.

Comment: The County does not recognize any ESHAs in Marina del Rey. The County does recognize, however, that there may be restored habitat areas in the flood control portion of Parcel P, and in the wetlands portion of Parcel 9, and that accessways adjacent to these restored resources should be sited to minimize impacts.

- 47) CCC Recommendation: Protection of ESHAs and public access shall take priority over other development standards. Accordingly, where there is any conflict between general development standards and ESHAs and/or public access protection, the LCP should make clear that the allowable use(s) of the area and the development regulations applicable in the area are governed by the ESHAs and public access standards.

County Position: Oppose.

Comment: The County does not recognize ESHAs in Marina del Rey. Protection of public access is addressed in the County's comments to the New Development/Circulation section recommendations. While the County supports the concept that public access has priority over general development standards should conflicts arise, issues such as public safety and the operation of marine commercial facilities must also be taken into consideration.

- 48) CCC Recommendation: Degraded coastal resources or habitat areas shall not be further degraded, and if feasible, restored. If new development removes or adversely impacts native vegetation, measures to restore any disturbed or degraded habitat on the property shall be included as mitigation.

County Position: Support with modification.

Comment: The County supports this Recommendation to the extent that native vegetation planted in conjunction with new development and indicated on a landscaping plan included with the project's application, is not subject to restoration or mitigation requirements if removed in the future.

- 49) CCC Recommendation: New development should be sited and designed to avoid adverse impacts to ESHAs. If there is no feasible alternative that can avoid adverse impacts through implementation of siting and design alternatives adverse impacts should be fully mitigated.

County Position: Oppose.

Comment: The County does not recognize ESHA in Marina del Rey.

- 50) CCC Recommendation: Development in the Marina should be sited and designed to minimize impacts to sensitive species or habitat values of areas adjacent to the Marina including Area A, and the Ballona wetlands, or areas which may be designated as State Ecological Reserves, to the maximum extent feasible. The siting and design of structures in the Marina should take into account areas planned for future habitat restoration. Development should consider measures to minimize spillover impacts on adjacent resources and habitat areas including, but not limited to, impacts to resources from sources such as night lighting, building height, run-off and noise.

County Position: Support with modifications.

Comment: The County supports the intent of this recommendation and believes that with the CEQA process and working in coordination with the Department of Fish and Game, in addition to current Green Building and Standard Urban Stormwater Mitigation Plan requirements, the issue of how projects are sited and designed in relation to sensitive species or areas is addressed. However, this issue shall be addressed more clearly in a future LCP update.

- 51) CCC Recommendation: Mitigation measures for impacts to wetlands or other ESHAs that cannot be avoided through the implementation of siting and design alternatives, including habitat restoration and/or enhancement shall be monitored for a period of no less than five years following completion. Specific mitigation objectives and performance standards shall be designed to measure the success of the restoration and/or enhancement. Mid-course corrections shall be implemented if necessary. Monitoring reports shall be provided to the County annually and at the conclusion of the five-year monitoring period that document the success or failure of the mitigation. If performance standards are not met by the end of five years, the monitoring period shall be extended until the standards are met. However, if after ten years, performance standards have still not been met, the applicant shall submit an amendment proposing alternative mitigation measures.

County Position: Oppose.

Comment: As there are no ESHAs in Marina del Rey and the wetlands designation applies only to the non-flood control portion of Parcel P and a small portion of Parcel 9, the County will provide guidelines for habitat enhancement on these parcels separate from the LCP.

- 52) CCC Recommendation: Update the LCP to incorporate an Environmentally Sensitive Habitat (ESHA) component through an LCP Amendment. The County should undertake a biological assessment of tree stands within Marina del Rey to determine which stand of trees provide important nesting and roosting habitat for birds protected by the Fish and Game Code, the Migratory Bird Treaty Act and all species of concern. Tree stands identified as nesting and roosting habitat for these bird species shall be designated as ESHA. The LCP amendment should incorporate policies and standards to ensure long term protection of the marina heron and egret rookeries consistent with the following:
- A.** The assessment should consider the Marina area resources in relation to the wetlands in Area A and Ballona. It should look at availability of habitat throughout the wetlands and the Marina to support protected bird species and identify any Marina habitat that may be needed to provide habitat for protected species. It should identify any active or historic nesting and roosting areas.
 - B.** Measures should be developed to protect the active or historic nesting and roosting areas by appropriate means, which may include, but are not limited to, restrictions on timing of construction, restrictions on tree trimming or tree removal, setbacks, fencing, signage, and seasonal access restrictions.
 - C.** Policies and standards for mitigation may incorporate the County Policy No. 23 "Tree Pruning in Marina Del Rey and on County Beaches in Accordance with Native Bird Breeding Cycles", dated 12/5/06, if modified to ensure the long-term protection of the heron rookery and the modified Policy is adopted into the LCP through an LCP amendment. Any tree pruning policy should include at a minimum, protection for all species of concern and include specifications and standards for approval of pruning during breeding season and removal of dead palm fronds with attached nests and other activities. The County may develop and approve a programmatic coastal development permit for the tree pruning

program. However, the removal of any tree determined to be ESHA shall require a separate coastal development permit and shall only be allowed if necessary to protect public health and safety and shall require 1:1 mitigation with specimen sized trees. Tree removal shall only be done during the non-nesting season.

County Position: Oppose.

Comment: The County does not recognize ESHA in Marina del Rey; however, the County is committed to protecting tree stands that provide important nesting and roosting habitat for birds. Practices for protecting such trees will included and referenced in the LCP update.

- 53) CCC Recommendation: The use of insecticides, herbicides, rodenticides or any toxic chemical substance within and adjacent to ESHAs should only be used as part of an integrated pest management program and to the maximum extent possible, avoid the use of these substances except where necessary to protect or enhance the habitat itself, such as eradication of invasive plant species, or habitat restoration.

County Position: Oppose.

Comment: The County does not recognize ESHA in Marina del Rey.

- 54) CCC Recommendation: The use of insecticides, herbicides, rodenticides or other toxic substances by County employees and contractors in construction and maintenance of County facilities should be implemented through an integrated pest management plan which minimizes the use of these substances.

County Position: Support with modification.

Comment: The County agrees with minimizing the use of these and other toxic substances and will be evaluating whether guidelines for using toxic substances in construction and maintenance of facilities could be developed and implemented in a future LCP update.

- 55) CCC Recommendation: LUP Landscaping requirements (LUP p.9-7 #12, LIP Appendices pp. C-14 #G and LIP pp.5 22.46.1060) should be modified to ensure that vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation is not permitted in any area designated as wetlands or ESHAs. Landscaping plans should preclude use of plant species listed as “noxious weed” by the State of California or listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council or as may be identified from time to time by the State of California. Habitat restoration and invasive plant eradication may be permitted if designed to protect and enhance habitat values.

County Position: Support with modification.

Comment: The County does not recognize ESHA in Marina del Rey. However, the County supports the Recommendation in that the use of “noxious weeds” and invasive species for habitat restoration should be prohibited in the non-flood control portion of Parcel P and a portion of Parcel 9, as well as within landscape plans for new development.

- 56) CCC Recommendation: Development adjacent to wetlands or ESHAs shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Buffer areas shall be determined based on specific site characteristics and resource values, and shall be of sufficient width to protect the biological functions of the resources they are designed to protect. While wetland buffer widths of 100 feet are preferred, if site

constraints preclude such buffer width and no siting and design alternatives are feasible to allow for such a buffer, a lesser buffer width may be allowed.

County Position: Support with modification.

Comment: The County does not recognize ESHA in Marina del Rey; however, the County is supportive of minimizing development impacts to habitat values or sensitive species within the non-flood control area of Oxford Basin and the wetland portion of Parcel 9, to the maximum extent feasible.

- 57) CCC Recommendation: Any area mapped as wetland or ESHAs or otherwise identified as a biological resource area shall not be deprived of protection, as required by the policies and provisions of the LCP, on the basis that the habitat has been illegally removed, filled, degraded, or that species of concern have been illegally eliminated.

County Position: Support with modification.

Comment: The County does not recognize ESHA in Marina del Rey; however, the County supports the Recommendation as it applies to the non-flood control portion of Parcel P and a portion of Parcel 9.

- 58) CCC Recommendation: The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes may be permitted in accordance with all policies of the LCP, where there is no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the uses specified in Section 30233 of the Coastal Act.

County Position: Support with modification.

Comment: The County supports this recommendation as it applies to the wetlands designated on the non-flood control portion of Parcel P and a portion of Parcel 9.

- 59) CCC Recommendation: Where any dike or fill development is permitted in wetlands in accordance with the Coastal Act and any applicable LCP policies, mitigation measures shall include, at a minimum, creation or substantial restoration of wetlands of a similar type. Adverse impacts will be mitigated at a ratio of 3:1 for seasonal wetlands or freshwater marsh, and at a ratio of 4:1 for saltmarsh. The County shall coordinate with the California Department of Fish and Game, U.S. Army Corps of Engineers, U. S. Fish and Wildlife Service, and other resource management agencies, as applicable, in review of development applications.

County Position: Support with modification.

Comment: The County believes the requirements of the various agencies should be harmonized on a case-by-case basis with respect to wetlands on the non-flood control portion of Parcel P and a portion of Parcel 9 and not predetermined in an LCP.

- 60) CCC Recommendation: Habitat enhancement and restoration of the Oxford basin should be identified as a goal in a future LCP amendment. Although the Oxford Basin is a flood control basin it has restoration potential as a transitional upland/wetland area for wading birds. To the extent feasible, the Oxford Basin area should be restored to provide habitat for wading birds and for passive public recreation while maintaining its function as a flood control facility. A restoration/enhancement plan should be prepared for the area and designed to improve the water quality of runoff entering the basin and should include specific measures to filter and infiltrate runoff. The plan should include an interpretive

signage program and any public trails through the area should be sited and designed to minimize disturbance to nesting birds. Any dredging of the basin for routine maintenance or habitat enhancement purposes shall comply with the Water Quality Policies of the LCP, Regional Water Quality Control Board requirements, California Department of Fish and Game Regulations, and Army Corps and US Fish and Wildlife Regulations.

County Position: Oppose.

Comment: The Department of Public Works has already begun planning an Oxford Basin improvement project, the Oxford Retention Basin Flood Protection Multiuse Enhancement Project, which includes water quality and habitat enhancement concepts, as well as aesthetic enhancement and passive recreation features. Coastal Commission staff should consider a broader description of habitat enhancement rather than limiting it to wading birds. Large bird populations may have a negative impact on water quality within the Basin despite all efforts otherwise to address such an impact through Basin redesign. Identification of pollutants coming from natural sources, and particularly birds, will not likely relieve the Flood Control District and/or the County from associated water quality regulatory compliance. From a technical perspective, infiltrating runoff in the Basin is not feasible due to the high level of ground water.

- 61) CCC Recommendation: As part of a LCP comprehensive update, the County shall incorporate findings of Commission ecologist, Dr. Jonna Engel, (memorandum, entitled, "Status of nonnative tree stands serving as multi-species heronries in Marina del Rey", dated December 10, 2007) of the ESHA status of the tree stands in the marina, and designate such sites as ESHA. For additional areas a site-specific biological assessment should be undertaken by a qualified biologist of the plant and animal species present on a project site to determine the presence of any additional ESHA, as defined in the LUP, based on the best available information, including current field observation, biological reports, and additional resources from the Department of Fish and Game and the U.S. Fish and Wildlife Service. Development within and adjacent to subsequently identified ESHA shall be consistent with the ESHA Resources Protection policy below.

County Position: Oppose.

Comment: The County will not support the recommendation for ESHA.

- 62) CCC Recommendation: Environmentally Sensitive Habitat Areas (ESHA) designated within the Marina, as determined through a site specific biological assessment of a project site, these shall be protected against significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

County Position: Oppose.

Comment: The County will not support the recommendation for ESHA.

Cultural Resources

- 63) CCC Recommendation: The LCP Policies B.7-1-6 and Ordinances 22.46.1180(5) and 22.46.1190(2) should be updated to revise noticing, consultation and measures to protect traditional tribal cultural places, features, and objects consistent with the Government Code and Office of Planning and Research Guidelines pursuant to SB 18.

County Position: Support.

Comment: The County will address this provision in a future LCP update.

- 64) CCC Recommendation: Modify LUP Policy B.7-4 that, if any resource is discovered during any phase of development construction that involves earth moving operations including grading, excavation and site preparation, a professional archaeologist and appropriate Native American consultant(s) shall be retained to monitor any earth-moving operations in the study area. A halt-work condition shall be in place in the event of cultural resource discovery during construction.

County Position: Support.

Comment: The County will address this provision in a future LCP update.

Hazards

- 65) CCC Recommendation: The LCP ordinances for required geotechnical analysis and conditions of approval should be updated to update names of applicable agencies and to ensure that projects for coastal development permits implement any new requirements of state or locally adopted Hazard Mitigation Plans related to tsunami and runup hazards and should require new development be constructed to resist lateral movement due to the effect of water loading from the maximum expected event, to the greatest extent feasible.

County Position: Support.

Comment: The County is preparing a revision to Los Angeles County Zoning Code, Title 22, Section 22.46.1180 that accommodates both the seismic acceleration correction, and tsunami hazard requirements.

Procedures

- 66) CCC Recommendation: The determination that a development is exempt from coastal development permit requirements under Section 22.56.2290 of the County code should be accompanied by a written project description and an indication of the reasons that the work is exempt. Such log concerning exemptions shall be kept on file and available for public inspection at the Department of Regional Planning, or if feasible, available electronically.

County Position: Support.

Comment: The County will address this provision in a future LCP update.

- 67) CCC Recommendation: Land Use Plan Policy C.8 -10 that addresses affordable housing should be modified to include language that encourages the protection of existing and provision of new affordable housing within the coastal zone of Marina del Rey.

County Position: Support with modification.

Comment: The County has adopted an Affordable Housing Policy for Marina del Rey under which all new residential development in Marina del Rey complies with the Mello Act by preserving existing affordable housing supplies (replacements units) and creating new affordable housing units (inclusionary units). The number of replacement units required is based on the results of an income survey that sets the replacement units on a like-for-like basis as determined by the income level of existing tenants whose income level triggers the replacement requirement. The number of inclusionary units is calculated as 15 percent of the net new incremental units to be constructed as part of the project with one-third reserved for very low-, one-third reserved for low-, and one-third reserved for moderate-income persons and families.

DRAFT



To enrich lives through effective and caring service

February 11, 2010



Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

TO: Design Control Board

FROM: Santos H. Kreimann, Director

SUBJECT: AGENDA ITEM 7A - TEMPORARY PERMITS ISSUED BY THE DEPARTMENT

Item 7A on your agenda provides us an opportunity to advise your Board of permits issued by the Department for temporary banners, signs and canopies. Since our last report, the Department issued the following permits; a copy of each is attached:

TP #09-028-EXT Extension of the permit for one 4' X 4' pole-mounted leasing sign at Pier 44 (Parcel 44). The sign is permitted through February 26, 2010.

TP #10-029 Install one 4' X 4' pole-mounted leasing sign at Gold Coast Shopping Center (Parcel 97). The sign is permitted through February 26, 2010.

SHK:CM:gj

Attachments (2)



To enrich lives through effective and caring service



January 28, 2010

Mr. Jun Dolor
Pier 44 Marina
4637 Admiralty Way
Marina del Rey 90292

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

Dear Mr. Dolor:

**TEMPORARY SIGN AT PACIFIC MARINA VENTURE (P-44)
(TP-09-028-Ext)**

By means of this letter, Pacific Marina Venture is granted a 30-day extension to continue to mount one post mounted for-lease sign at 13444 Bali Way, Marina del Rey.

The original permit allowed the sign through January 28, 2010. This extension permits the sign through February 26, 2010. The sign must be removed by noon on February 27, 2010 or within 24-hours of leasing the advertised space. Failure to remove the sign by this time will result in its removal and storage by the County of Los Angeles at your expense. If you desire to maintain the temporary sign for additional time, reapplication is required.

If you have any questions, please contact Peter Dzewaltowski at (310) 578-6448.

Very truly yours,

SANTOS H. KREIMANN, DIRECTOR

Charlotte Miyamoto, Chief
Planning Division

SHK:CM:PD

cc: Wayne Schumaker
Mark Spiro
Ken Edson
Seth Curtis
Lynn Atkinson
Jules Trefler



To enrich lives through effective and caring service

January 28, 2010



Ms. Jill Peterson, Agent
Gold Coast Shopping Center, LLC.
590 Washington Boulevard
Marina del Rey, CA 90292

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

Dear Ms. Peterson:

**TEMPORARY FOR-LEASE SIGN AT GOLD COAST SHOPPING CENTER (P-97)
(TP-10-029)**

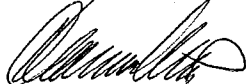
By means of this letter, Gold Coast Shopping Center, LLC is permitted to mount one (1) 4-foot high by 4-foot wide temporary sign, post-mounted in front of the storefront at 590 Washington Boulevard, Marina del Rey. The sign will be made of wood and will have the following lettering colors and sizes: "PAR" in green and 2.5-inch high lettering; "COMMERCIAL BROKERAGE" in black and 1.25-inch high lettering; "FOR LEASE" in red and 4.5-inch high lettering; "GREG ECKHARDT" in black and 2.5-inch high lettering; and "(310) 395-2663" in black and 6-inch high lettering. The temporary sign will be free standing on a single wooden pole.

The sign is permitted from January 28, 2010 to February 26, 2010. The sign must be removed by noon on February 27, 2010 or within 24-hours of leasing the advertised space. Failure to remove the sign by this time will result in its removal and storage by the County of Los Angeles at your expense.

If desired, one consecutive 30-day extension may be granted, provided that the request for such is made in writing to the Department *before* the original permit expires. In order to maintain the permitted sign beyond the combined allowable 60-day timeframe, the applicant must reapply for a temporary sign permit. If you have any further questions or requests, please contact Peter Dzewaltowski at 310-578-6448.

Very truly yours,

SANTOS H. KREIMANN, DIRECTOR


Charlotte Miyamoto, Chief
Planning Division

SHK:CM:PD

cc: Wayne Schumaker
Mark Spiro
Ken Edson
Seth Curtis
Lynn Atkinson
Arthur Salmonson



To enrich lives through effective and caring service

February 11, 2010



Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

TO: Design Control Board
FROM: *Kerry Silverstrom for*
Santos H. Kreimann, Director

SUBJECT: ITEM 7B - ONGOING ACTIVITIES REPORT

BOARD OF SUPERVISORS ACTIONS ON ITEMS RELATING TO MARINA DEL REY

On January 26, 2010, the Board of Supervisors directed County Counsel to file a writ in Superior Court challenging Los Angeles City's approval of the Venice Dual Force Main sewer project.

On February 2, 2010, the Board of Supervisors approved the revised scope of work for the Marina del Rey Boathouse Refurbishment Project in the amount of \$1,128,000, for a revised total project budget of \$2,780,000, fully funded with Marina Replacement Accumulated Capital Outlay funds. The project includes renovations to bring the Boathouse in compliance with Americans with Disabilities Act requirements, as well as to construct seismic upgrades.

REGIONAL PLANNING COMMISSION'S CALENDAR

The Regional Planning Commission (RPC) has set April 7, 2010 for the Parcels OT (Oceana Retirement Facility) and 21 (Holiday Harbor) projects to return to the RPC for reconsideration.

On February 3, 2010, the RPC continued the hearings for the proposed projects on Parcels 9U (Woodfin Hotel) and 10/FF (Neptune Marina/Legacy Apartments) to March 10, 2010.

LOCAL COASTAL PROGRAM PERIODIC REVIEW UPDATE

Item 6C on your agenda is a presentation by a member of the Department of Regional Planning of the County's proposed response to the California Coastal Commission's Periodic Review findings and recommendations.

SMALL CRAFT HARBOR COMMISSION MINUTES

The January 2010 meeting minutes have not yet been approved by the Commission.

MARINA DESIGN GUIDELINES UPDATE

In late 2006, the Department of Beaches and Harbors (DBH) began a process to revise the existing Design Guidelines for Marina del Rey. A subcommittee of the Design Control Board (DCB) was established to work with DBH and RRM Design Group

(RRM), the consulting firm selected to complete the design guidelines. The first objective was to critique existing policies and draft a set of guiding principles that would facilitate continuity among public and private improvements within the Marina. This work was presented to the DCB at its August 30, 2007 meeting. Following this meeting, the Marina Design Guidelines Task Force was created. This ad hoc committee was conceived by Supervisor Don Knabe and DBH with the intention of broadening public input into the development of the guidelines. The members were as follows:

Peter Phinney	Chair, Design Control Board
David Baker	Supervisor Knabe's Appointee
Steve Curran	Marina Resident
Dorothy Franklin	Boater
Beverly Moore	Marina del Rey Convention and Visitors Bureau
Greg Schem	Marina del Rey Lessees Association
Pat Younis	LAX Coastal Area Chamber of Commerce

The Marina Design Guidelines Task Force, staffed by DBH and RRM, held a series of seven public meetings where a strategy for the following design elements within the Marina was considered: Gateways & Landmarks; Streetscapes; Waterfront Walk; Site & Buildings; Parks & Piers; and, Signage

A draft set of Design Guidelines was presented to the DCB on September 11, 2008. Since that time, and in consideration of funding constraints, DBH has been working on improving the guidelines to ensure that the proposed policies are comprehensive, relevant, and "user friendly".

REDEVELOPMENT PROJECT STATUS REPORT

The updated Marina del Rey Redevelopment Projects Descriptions and Status of Regulatory/Proprietary Approvals report is attached.

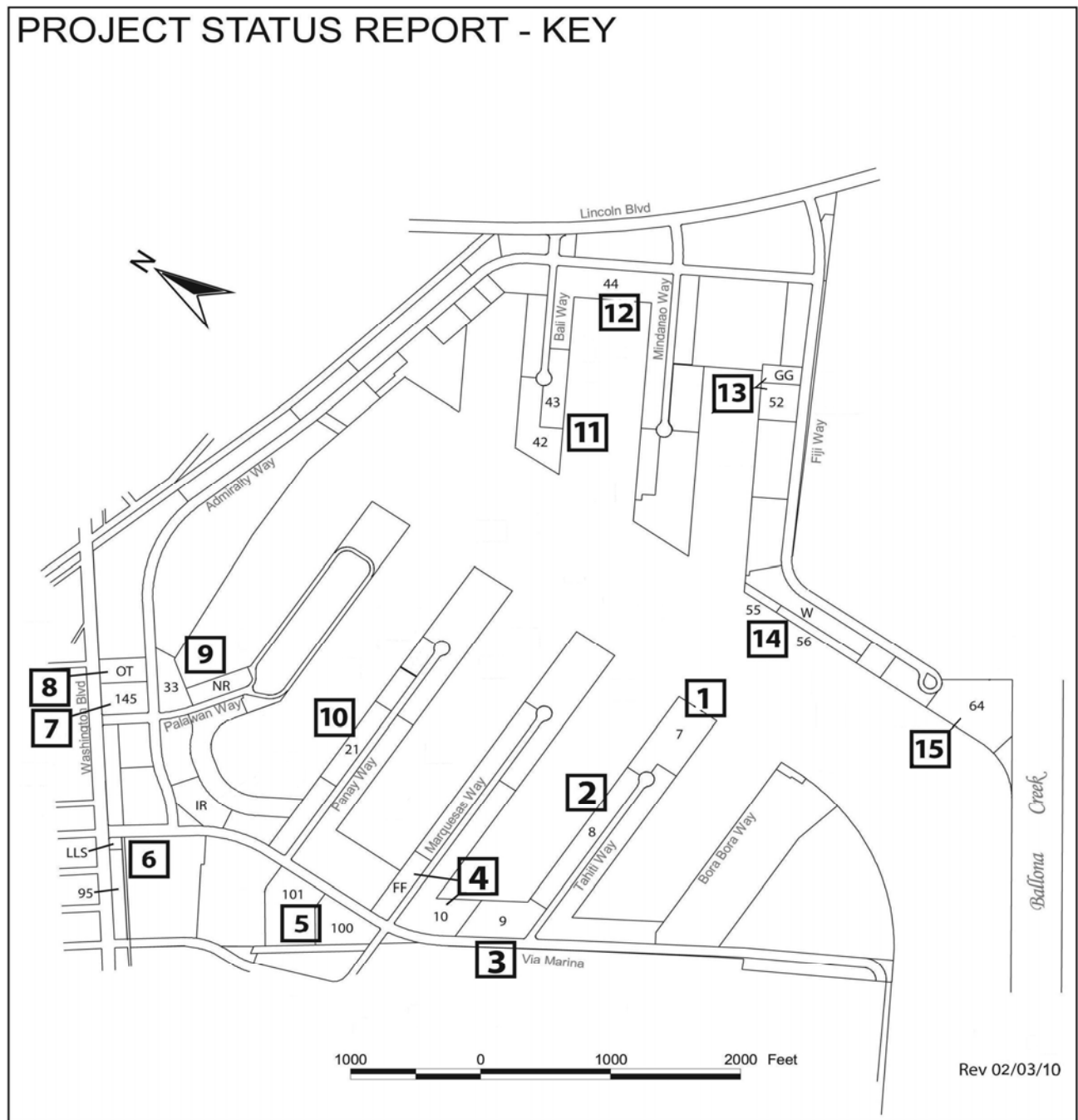
SHK:GJ:CM:ks
Attachment

Marina del Rey Redevelopment Projects
Descriptions and Status of Regulatory/Proprietary Approvals
As of February 3, 2010

Map Key	Parcel No. -- Project Name/Lessee	Lessee Name/ Representative	Redevelopment Proposed	Massing and Parking	Status	Regulatory Matters
1	7 -- Tahiti Marina/K. Hakim	Kamran Hakim	* Complete leasehold refurbishment Relocate landside boater facilities will not be reconstructed at this time * Docks	Parking -- Possible slight reduction of parking due to relocation of landside boating facilities. Impact is currently unknown.	Proprietary -- Board action on term sheet on 9/29/09 Regulatory -- Initial Study received by Regional Planning in May 2009. Public Review period expected to start in February 2010	No Variance proposed
2	8 -- Bay Club/ Decron Properties	David Nagel	* Building refurbishment, no new construction * Docks will be reconstructed	Massing -- Two 43' tall 3-story residential buildings over parking Parking -- 315 residential parking spaces and 172 slip parking spaces	Proprietary -- Term sheet action by BOS August 2008; lease extension option approved by BOS 12/8/09 Regulatory -- DCB continued from July 2008 with concept approval August 2008. Site Plan Review application filed with DRP on 12/4/08. The 30-day public review period of the MND ended 11/9/09. MND was adopted by BOS 12/8/09.	No Variance proposed
3	9 -- Woodfin Suite Hotel and Vacation Ownership/ Woodfin Hotels	Ben Ryan	* 19-story, 288-room hotel (152 hotel rooms and 136 timeshare suites) * 6-story, 360-stall parking structure * New public transient docks * 28 foot-wide waterfront promenade * Wetland park	Massing -- 19-story hotel with 5-story parking structure, 225' tall, on northern half of parcel with view corridor and wetland park on southern half Parking -- All parking required of the project to be located on site	Proprietary -- Term sheet action by BOS February 2007 Regulatory -- DCB initial hearing May 2006, approved in concept June 2006; Regional Planning application filed November 2006; RP Commission continued the item from 10/29/08, and on 10/14/09 requested a DCB review for promenade improvements prior to item returning to the Commission on 2/3/10; DCB approval on 12/17/09.	Timeshare component Wetland Variance for enhanced signage and reduced setback adjacent to waterfront promemande
4	10/FF -- Neptune Marina/ Legacy Partners	Sean McEachorn	* 526 apartments * 161-slip marina + 7 end-ties * 28 foot-wide waterfront promenade * Replacement of public parking both on and off site	Massing -- Four 55' tall clustered 4-story residential buildings over parking with view corridor Parking -- 103 public parking spaces to be replaced off site	Proprietary -- Term sheet action by BOS August 2004; lease documents approved by BOS August 2008 Regulatory -- DCB initial hearing May 2006, approval in concept June 2006; Regional Planning application filed November 2006; RP Commission continued the item from 10/29/08, and on 10/14/09 requested a DCB review for promenade improvements prior to item returning to the Commission on 2/3/10; DCB approval on 12/17/09	LCP amendment to allow apartments on Parcel FF, remove Open Space category, and to transfer development potential from other development zones Parking permit to allow 103 replacement public parking spaces off site Variance for enhanced signage and reduced setbacks
5	100/101 -- The Shores/ Del Rey Shores	Jerry Epstein/ David Levine	* 544-unit apartment complex * 10 new public parking spaces	Massing -- Twelve 75' tall 5-story residential buildings Parking -- All parking required of the project to be located on site plus 10 public beach parking spaces	Proprietary -- Lease extension Option approved by BOS December 2006. 18-month extension of Option approved by BOS on 12/15/09. Regulatory -- Regional Planning approval June 2006; BOS heard appeal February 2006; and approved project March 2007. Per court order, EIR redone as to grading; BOS approved EIR 12/16/08; Plancheck application filed	Variance for enhanced signage
6	95/LLS -- Marina West Shopping Center/Gold Coast	Michael Pashaie/ David Taban	*23,500 square feet of commercial/retail/restaurant and public park component.	Massing -- Single story buildings Parking -- All parking required of the project to be located on site	Proprietary -- New Term sheet to be negotiated Regulatory -- To be determined	No Variance proposed
7	145 -- Marina International Hotel/ IWF Marina View Hotel	Dale Marquis/ Mike Barnard	* Complete refurbishment of 149 apartments	Massing -- 40' existing and proposed max height Parking -- 465 existing; 301 semi-subterranean and 164 surface parking spaces. No change.	Proprietary -- Term sheet initialed by lessee Regulatory -- DCB initial hearing November 2008; conceptual approval granted January 2009. Initial Study received by Regional Planning May 2009	No Variance proposed
8	OT -- Oceana Retirement Faciltiy/ Goldrich & Kest Industries	Jona Goldrich/ Sherman Gardner	* 114-unit congregate care units plus ancillary uses * 5,000 square feet of retail space * Replacement public parking both on and off site * Public accessway from Washington to Admiralty	Massing -- One 5-story residential (senior) building over ground-floor retail and parking, 65' tall Parking -- All required project parking to be located on site; 92 public parking spaces to remain on site, 94 public parking spaces to be replaced off site near Marina Beach	Proprietary -- Lease documents approved by BOS July 2008. Regulatory -- DCB conceptual approval August 2005; Regional Planning application filed May 2006. DEIR public review period from 9/3 - 10/19/09. RP Commission continued the project during the 10/21/09 hearing to 12/16/09 where staff was directed to finalize the EIR and obtain DCB review of the pedestrian connections prior to returning to the Commission on 4/7/10	LCP amendment to create Active Seniors Accommodations Land Use Category and rezone OT from Parking to Active Seniors Accommodations with Mixed Use Overlay Zone, and transfer development potential between Development Zones Parking permit for senior retirement facility and to allow some replacement public parking off site. No Variance proposed
9	33/NR -- The Waterfront	Ed Czucker/Derek Jones	* 292 apartments * 32,400 square-foot restaurant/retail space * Rooftop observation deck * Replacement public parking both on and off site	Massing -- Three 5-story mixed use residential/retail buildings (two 44' tall and one 61' tall) with view corridor Parking -- All required project parking to be located on site; 69 public parking spaces to be replaced on site.	Proprietary -- Lease documents in process and economic terms being negotiated Regulatory -- DCB concept approval August 2004; revised project to DCB on August 2008, then December 2008 where it was continued	LCP amendment to add Residential V and a Mixed Use Overlay Zone to Pcl 33, and rezone NR from parking to Visitor Serving/Commercial with a Mixed Use Overlay Zone. Parking permit to allow some replacement public parking off site No Variance proposed
10	21 -- Holiday Harbor Courts/ Goldrich & Kest Industries	Jona Goldrich/ Sherman Gardner	<u>Phase 1</u> * 5-story, 29,300 square-foot mixed-use building (health club, yacht club, retail, marine office) * 92-slip marina * 28 foot-wide waterfront promenade and pedestrian plaza <u>Phase 2 (Parcel C)</u> * Westernmost portion of land to revert to County for public parking	Massing -- One 56' tall commercial building with view corridor Parking -- All parking required of the project to be located on site, including 94 replacement spaces from OT and Parcel 20 boater parking	<u>Phase 1</u> Proprietary -- Lease option documents approved by BOS July 2008. Option has expired. Regulatory -- DCB conceptual approval obtained August 2005; Regional Planning application (landside) filed September 2006. DEIR public review period from 9/3 - 10/19/09. RP Commission continued the project during the 10/21/09 hearing to 12/16/09 where staff was directed to finalize the EIR and to have the DCB review promenade improvements prior to returning to the Commission on 4/7/10 <u>Phase 2 (Parcel C)</u> DCB hearing March and April 2006, item continued.	LCP Amendment to transfer parking from OT to 21 CDP for landside from Regional Planning CDP for waterside from Coastal Commission No Variance proposed
11	42/43 -- Marina del Rey Hotel/ IWF MDR Hotel	Dale Marquis/ Mike Barnard	* Complete refurbishment and dock replacement	Massing -- 36' tall hotel building Parking -- 372 Parking spaces	Proprietary -- Term sheets initialed; Parcel 42 on 9/7/09 and Parcel 43 8/31/09. Regulatory -- To be determined	No Variance proposed
12	44 - Pier 44/Pacific Marina Venture	Michael Pashaie/ David Taban	* Build 5 new visitor serving commercial and dry storage buildings * 91,090 s.f. visitor serving commercial space * 143 slips + 5 end ties and 234 dry storage spaces	Massing -- Four new visitor-serving commercial buildings, maximum 36' tall and one dry stack storage building, 65'5" tall. 771.5 lineal feet view corridor proposed Parking -- 381 at grade parking spaces will be provided with shared parking agreement (402 parking spaces are required)	Proprietary -- Term sheet to be negotiated Regulatory -- Initial DCB review during the October 2008 meeting, but project will be revised.	Shared Parking Agreement No Variance proposed
13	52/GG -- Boat Central/ Pacific Marina Development	Jeff Pence	* 345-vessel dry stack storage facility * 30-vessel mast up storage space * 5,300 s.f. Sheriff boatwright facility	Massing -- 81.5' high boat storage building partially over water and parking with view corridor Parking -- All parking required of the project to be located on site, public parking to be replaced on Parcel 56	Proprietary -- Term sheet action by BOS on July 2006; SCHC approved Option March 2007; BOS approved Option May 2007. BOS granted extension and modification of Option on 11/10/09. Regulatory -- DCB, on May 2007 (continued from March 2007 meeting; April meeting cancelled) DISAPPROVED project. Regional Planning application filed December 2008. Screencheck Draft EIR received July 2009.	LCP amendment to rezone site to Boat Storage and to transfer Public Facility use to another parcel. Variance for reduced setbacks and Architectural Guidelines requiring that structures be within 15 ft. of bulkhead
14	55/56/W -- Fisherman's Village/ Gold Coast	Michael Pashaie/ David Taban	* 132-room hotel * 65,700 square foot restaurant/retail space * 30-slip new marina * 28 foot-wide waterfront promenade	Massing -- Nine mixed use hotel/visitor-serving commercial/retail structures (eight are 1 or 2-story and one 60' tall hotel over ground floor retail/ restaurant), parking structure with view corridor Parking -- All parking required of the project to be located on site; must include parking for adjacent Parcel 61 lessee (Shanghai Reds) and replacement parking from Parcel 52	Proprietary -- Lease extention Option approved by BOS December 2005. Option expired Regulatory -- DCB hearing May 2006, item continued; approved in concept July 2006. Regional Planning application filed May 2007. Screencheck DEIR in review.	Shared Parking Agreement Variance for reduced setbacks (side and waterfront)
15	64 -- Villa Venetia/ Lyon	Peter Zak	* Complete leasehold refurbishment	Massing -- Existing 224 units in 3 stories with portions over parking Parking -- All parking located on site	Proprietary -- New term sheet initialed 12/31/09. Regulatory -- To be determined. Project has changed. Refurbishment rather than redevelopment now proposed. Initial Study received by Regional Planning May 2009. Agency comments requested 1/27/10.	No Variance proposed

Note: Height information for projects will be shown as information becomes available.

PROJECT STATUS REPORT - KEY





To enrich lives through effective and caring service

February 11, 2010



Santos H. Kreimann
Director

TO: Design Control Board

FROM: Santos H. Kreimann, Director

Kerry Silverstrom
Chief Deputy

SUBJECT: **AGENDA ITEM 7C - MARINA DEL REY & BEACH SPECIAL EVENTS**

MARINA DEL REY EVENTS

HOUSEHOLD HAZARDOUS WASTE AND E-WASTE ROUNDUP

Saturday, February 27, 2010
9:00 a.m. – 3:00 p.m. (approximately)
Dock 52 Parking Lot – 13483 Fiji Way

The County of Los Angeles Department of Public Works and the Sanitation District, in conjunction with the County of Los Angeles Department of Beaches and Harbors, are sponsoring the annual Household Hazardous Waste and E-Waste Roundup for the proper disposal of environmentally harmful household substances and electronic waste.

For more information call: Los Angeles County Sanitation District at (800) 238-0172 or visit its website at www.lacsd.org.

FISHERMAN'S VILLAGE WEEKEND CONCERTS

Sponsored by Pacific Ocean Management, LLC
All concerts are from 1:00 p.m. – 4:00 p.m.

Saturday, February 13

Hound Dog Dave & The Mel-Tones, playing Blues & American Roots

Sunday, February 14

2 AZZ 1 Body & Soul Band, playing Smooth Jazz with Vocals

Saturday, February 20

Shakey Pete & The Faultline, playing Blues

Sunday, February 21

Floyd & The Fly Boys, playing Soul Review

Saturday, February 27

Richard Davis Quintet, playing Standards & Jazz

Sunday, February 28

Susie Hansen Latin Band, playing Hot Latin Jazz

For more information call: Pacific Ocean Management at (310) 822-6866

BEACH EVENTS

2010 POLAR PLUNGE

Saturday, February 27, 2010

10:00 a.m.

Zuma Beach – Lifeguard Tower 9
29700 Pacific Coast Hwy, Malibu

Participate in the Polar Plunge to benefit Special Olympics Southern California athletes. Brave men, women and children will take the plunge to raise money, win rewards, and have a good time.

For more information, call: Los Angeles County Sheriff's Department at (818) 878-1808 or the Los Angeles Police Department at (213) 485-5950 or visit the website at www.zumapolarplunge.com.

GI JOE PIER-TO-PIER WALK/RUN

Hermosa Beach Pier

Saturday, March 6, 2010

7:00 a.m. – 10:00 a.m.

Approximately four-mile sand run for everyone of all fitness levels. Bring your family and friends and experience the challenge and the fun together.

For more information visit: Joe Charles at jcactivity@ca.rr.com.

SHK:cm